

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
June 25, 2015**

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

1. CALL TO ORDER

Mayor Skoog called the meeting to order at 5:32 p.m.

2. INVOCATION

Rabbi Adele Plotkin of the Beit Torah Jewish Congregation gave the Invocation.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was said in unison.

4. ROLL CALL

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

Absent: Council Member Marshall, and Vice Mayor Nye.

5. PROCLAMATIONS

a. Fallen Heroes Day

Town Clerk Diane Russell read the proclamation after which Vice Mayor Anderson and Mayor Skoog presented it to Battalion Chief Carothers.

Carothers said it is an honor to serve the citizens of the Town of Prescott Valley as well as the surrounding communities. They give their word and oath that they will continue to serve, train and perform up to the standards that the citizens expect. Mayor Skoog thanked him for his service and told him to keep up the good work.

b. Parks & Recreation Month

Town Clerk Diane Russell read the proclamation after which it was presented to Elaine Fahlman who accepted it on behalf of the Parks and Recreation Commission. Fahlman said it is her honor to accept the proclamation for the Commission and Town. The Parks and Recreation Department

does an outstanding job for all the parks, and did so even during the recession. They will continue to do their duty for the citizens of our Town. Vice Mayor Anderson said they are proud of the Parks and Recreation Department and thankful to the Commission for the great job they do. Mayor Skoog added that they maintain 25 parks and thanked them for their service.

6. CERTIFICATES

a. Certificate of Appreciation to Buzz Gummer

Mayor Skoog called Buzz Gummer and his wife forward. Mrs. Gummer said they are very proud of being on the Parks and Recreation Commission.

Buzz stated that he has enjoyed his time on the commission. It has been a joy to work with so many people. He leaves the Town in good hands with this staff and a dedicated, strong Commission. He thanked everybody for all the years he was able to serve on the Commission. Buzz said he is moving onto his new career as a grandfather.

Parks and Recreation Director Brian Witty said Buzz has been an advocate of parks and recreation and recreational services over his 19 years on the Commission. Witty showed a slide show of Buzz's 19-year history with the Commission and the activities he has been involved in or helped develop. Buzz has seen the beginning of the Town becoming a Tree City USA community and the receiving the Growth Award. He is an advocate of youth services and activities. He has helped grow recreational services and is dedicated hockey fan. He was part of the ballfield lighting, Skate Park, and expansion of Mtn. Valley Park and growth and development of Antelope Park. He was a strong advocate of youth activities and several sports. He has also been a participant in the activities and services available. Witty concluded with saying Buzz has been a tremendous gentleman. He has created a future for our community and supporter of the staff. Witty thanked him for this time and commitment over the 19 years for this community.

Former Council member Mike Flannery commented that long before his current life he served on the Parks and Recreation Commission with Buzz prior to becoming a council member. He commented that he is very familiar with Buzz's dedication and caring of every element of this community which continued through the good times and the hard times. He congratulated Buzz and said we are enriched because of his service.

Council members commented that Buzz has given a tremendous amount to this town - what a great opportunity it was to work with him. They appreciate his dedication and service. We will feel the loss of his vision, but he has put his mark on the community. Parks and Rec is the face of the community.

Town Manager Larry Tarkowski said things were pretty spartan back when Buzz first started on the Commission. He thanked him for all his service and bringing that whole program along.

7. RECESS

Mayor and Council Members chose not to recess.

8. *RECONVENE*

Not necessary as a recess was not called.

9. *COMMENTS/COMMUNICATIONS*

No comments were forthcoming.

10. *CONSENT AGENDA*

- a. *Approving the June 4 & 11, 2015 Work Study and Council meeting minutes*
- b. *Approving a new Series 12 Restaurant Liquor License application for Chipotle Mexican Grill located at 5791 E. State Route 69; H.J. Lewkowitz, applicant*
- c. *Approving a Series 9 Liquor Store License and Series 9S Sampling Applications for Safeway, Inc. located at 7720 E. State Route 69; Andrea D. Lewkowitz, applicant*
- d. *Authorizing the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1921 approving abandonment of a utility easement between 8031 Dana Dr. and 8030 John Ct.*
- e. *Approving the purchase of a Barracuda back-up appliance and Cloud storage from Information Technology's Capital account, during Fiscal Year 2015-2016, in a total amount of approximately \$17,255*
- f. *Approving a service agreement with Daktronics, in an amount of \$19,526.31 for the Mountain Valley Park, Amphitheater Scoreboard Retrofit*
- g. *Accepting the 100 Club of Arizona Safety Enhancement Stipend Award in the amount of \$4,000.00*
- h. *Accepting the Arizona Automobile Theft Authority (AATA) - Professional Training 2015/2016 Public Awareness Grant Award in the amount of \$1,105.75*
- i. *Accepting the Arizona Automobile Theft Authority (AATA) - VIN Etching Equipment & Supplies 2015/2016 Public Awareness Grant Award in the amount of \$1,391.25*
- j. *Approving a Confidentiality Agreement with Fain Signature Group (FSG)*
- k. *Department Reports*

l. Monthly Financial Report

m. Investment Report

n. Approving Accounts Payable

Council Member Mallory made the MOTION, seconded by Council Member Grossman, to approve all items on the consent agenda, by electronic vote. MOTION carried with 5 ayes and 0 nays.

11. OLD BUSINESS (FOR ACTION)

a. Second reading by title only, and consideration of passage, of Ordinance No. 806, Amending Town Code Section 10-01-030 'Fireworks'

Town Clerk Diane Russell read Ordinance No. 806 by title only for the second reading. Council Members voted to approve the ordinance with 5 ayes and 0 nays, by electronic vote.

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

a. Consideration of appointing Council member Rick Anderson as Vice Mayor to serve at the pleasure of the Council

Town Manager Larry Tarkowski commented that this policy to appoint a vice mayor annually was implemented in 2007. Last week a ballot vote was taken with Council Member Rick Anderson receiving the majority of the votes cast. Council may confirm that vote at this time appointing Anderson as the Vice Mayor for fiscal year 2015-2016.

Mayor Skoog said Vice Mayor Lora Lee Nye has done an outstanding job the last two years. The Vice Mayor is called upon to do a lot.

Council Member Mallory made the MOTION, seconded by Council member Grossman, to appoint Council member Rick Anderson as Vice Mayor to serve at the pleasure of the Council, by electronic vote. MOTION carried with 5 ayes and 0 nays.

b. Consideration of reappointing Kevin Trovini to the Parks and Recreation Commission

Vice Mayor Anderson said on June 30, 2015, Kevin Trovini's term on the Parks and Recreation Commission will come due for renewal. He submitted the renewal application letter choosing to be reappointed. Kevin Trovini was first appointed to a partial term on this board on December 4, 2014 and this re-appointment will be his 2nd consecutive term.

Vice Mayor Lora Nye and Council Members Mary Mallory and Rick Anderson are recommending the re-appointment of Kevin Trovini for a term with a renewal date of June 30,

2018. Council member Mallory added that they appreciate Kevin's service and the fact that he would like to continue his service on the commission.

Council Member Mallory made the MOTION, seconded by Council Member Whiting, to reappoint Kevin Trovini to the Parks and Recreation Commission to a term with a renewal date of June 30, 2018, by electronic vote. MOTION carried with 5 ayes and 0 nays.

c. Consideration of reappointing Franki Gibson to the Arts and Culture Commission

Vice Mayor Anderson said on June 30, 2015, Franki Gibson's term on the Arts and Culture Commission will come due for renewal. She submitted the renewal application letter choosing to be reappointed. Franki Gibson was first appointed to a partial term on this board on January 13, 2011 and this re-appointment will be her 3rd consecutive term.

Vice Mayor Lora Nye and Council Members Mary Mallory and Rick Anderson are recommending the re-appointment of Franki Gibson for a term with a renewal date of June 30, 2018. Council member Mallory added that they appreciate she is willing to serve again.

Council Member Whiting made the MOTION, seconded by Council Member Grossman, to reappoint Franki Gibson to the Arts and Culture Commission to a term with a renewal date of June 30, 2018, by electronic vote. MOTION carried with 5 ayes and 0 nays.

d. Consideration of reappointing Lucila Mangels to the Library Board of Trustees

Vice Mayor Anderson said on June 30, 2015, Lucila Mangels' term on the Library Board of Trustees will come due for renewal. She submitted the renewal application letter choosing to be reappointed. Lucila Mangels was first appointed to a partial term on this board on January 10, 2013 and this re-appointment will be her 2nd consecutive term.

Vice Mayor Lora Nye and Council Members Mary Mallory and Rick Anderson are recommending the re-appointment of Lucila Mangels for a term with a renewal date of June 30, 2018. Council member Mallory added that council appreciates the services and commitment of all the volunteers as without them it would be difficult to get a lot of things done.

Council Member Grossman made the MOTION, seconded by Council Member Anderson, to reappoint Lucila Mangels to the Library Board of Trustees to a term with a renewal date of June 30, 2018, by electronic vote. MOTION carried with 5 ayes and 0 nays.

e. Public Hearing - Proposed Expenditure Limitation and Budget for Fiscal Year 2015-16

Mayor Skoog opened the public hearing.

Management Services Director Bill Kauppi said this item was discussed a couple of times both at work study and the adoption of the tentative budget. Kauppi offered to answer any questions council or the public may have unless they want to go through the entire subject again. Mayor Skoog asked if anyone from the public had any questions or comments. No one came forward.

Mayor Skoog said the Town is setting a fairly tight budget. The Town is running 100 percent on revenue alone. The total 2015-2016 budget is \$75,618,793.00, an increase of 8 percent over last year. Adjustments have been made in the General Fund but we have a balanced budget in the General Fund and the Town has a couple of projects scheduled next year. The full budget will be posted on the website for public review on Monday.

Council member Mallory pointed out that the Town was able to hire 5 additional police officers along with buying some vehicles. It helps our community, keeps us safer. Everything we do in the budget goes back into the community and the people. Town Manager Tarkowski said we would be remiss if we didn't thank and appreciate all that the department heads have done, the work Council has done and most importantly Bill and his staff for pulling together another award winning budget. He added that it is important to know that this process begins in November with the first budget retreat. This brings a long, deliberate process to a conclusion.

Council Member Whiting thanked the employees and department heads rigorous process and he appreciates it as they get to see the details of what makes the Town run. With the recession behind us, the Town can invest in things that it has not been able to in 7 years. The budget reflects that we are being responsible and are looking at the things that the Town needs.

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

f. Consideration of authorizing the Mayor to sign Resolution No. 1922 adopting the Town Budget and Expenditure Limitation for 2015-2016

Council Member Anderson made the MOTION, seconded by Council Member Mallory, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1922 adopting the Fiscal Year 2015-16 Final Expenditure Limitation and Budget for the Town of Prescott Valley, by electronic vote. MOTION carried with 5 ayes and 0 nays.

g. Consideration of approving the new intergovernmental agreement with the Arizona Department of Revenue to provide for uniform administration, licensing, collection, and auditing of Town transaction privilege and use taxes

Finance Manager Katie Pehl commented that the ADOR has always collected the taxes for the Town. This Intergovernmental Agreement brings uniformity to the auditing process, to confidentiality requirements and provides the ADOR with the ability to collect tax for all cities and towns across the state. This IGA would be effective for one year, but will automatically update each year after that unless either party chooses to renegotiate the terms.

Mayor Skoog said this is another case of the state has simplified everything. The more they simplify, the harder it gets!

Council Member Grossman made the MOTION, seconded by Council Member Whiting, to approve the new intergovernmental agreement with the Arizona Department of Revenue to provide for uniform administration, licensing, collection, and auditing of Town transaction privilege and use taxes, by electronic vote. MOTION carried with 5 ayes and 0 nays.

h. Consideration of approving a five year Agreement with CH2MHill-OMI in the amount of \$5,194,578.93 for Utilities Operations, Maintenance and Management Services

Utility Director Neil Wadsworth said the contract expires this month. With council's direction staff has drawn up a contract good for the next five years, but reviewed annually for any additional services required. This was not put out for rebid due to the good level of service received. OMI has served the Town for 7-8 years with a total fee increase of 6 percent on the contract over that period of time. OMI has shown good leadership and partnership through the tough times and the good times. Advanced technology has been implemented over those years and the historical OMI knowledge the Town taps into is very valuable.

Utility Manager Mark Kieren had the numerous CH2MHill corporate officials and plant representatives come forward and introduce themselves. Each person thanked Council saying they look forward to working with the Town over the next five years and more. Appreciation was also expressed for Neil's and Mark's continued support and the Council's for renewing the contract. They commented that this is a long-term commitment to the Town. It is a pleasure serving and being a part of this community. This contract also signifies a celebration of their commitment to safety, ethics and values that they bring in service to the Town.

Council Member Whiting said we are getting a great deal for our money with this contract due to their commitment, expertise and the excellent service they provide. This is a seamless relationship making it hard to tell who is a Town employee and who is not. Everyone works with that same commitment and responsiveness. Council Member Mallory commented that what she remembers is that during the rough times they were right there with us and we can count on them. The relationship with them is almost irreplaceable. Vice Mayor Anderson said they make Council's job easier because of the job they do for us. Council Member Grossman said everything works nice and smooth. Council looks forward to another great five years. Mayor Skoog said we have a continuity of service that saves the Town money. They have served and saved us money.

Vice Mayor Anderson made the MOTION, seconded by Council Member Whiting, to approve the Agreement with CH2MHill-OMI, by electronic vote. MOTION carried with 5 ayes and 0 nays.

i. Consideration of approving the purchase of eight (8) new police vehicles budgeted in the amount of approximately \$371,250.00

Deputy Chief Edelstein said Council is considering the purchase of eight new vehicles. One will be added to the Criminal Investigation Division for detective use and the other seven will be for Patrol use. Five of the vehicles will be funded from the General Fund. The other three are required due to growth and staffing and will be paid for with Development Impact Fees. To increase efficiency in the vehicles, PVPD will be installing wireless 4G modems with tablets, including hotspots, in the vehicles so that personnel will be able to remove the tablets from the vehicles when needed. He thanked the Council and Management for this herculean effort to make this purchase possible.

Council Member Mallory said council appreciates what the department does and they are glad they could do this. Council Member Whiting said these are essential tools for the service needs of the department. The vehicles should be replaced, as necessary, over time.

Tarkowski commented that council is making history as a Town of Prescott Valley Council has never purchased this many vehicles at one time. Mayor Skoog said we are keeping up with population growth with a crime rate this is decreasing and we want to continue that trend.

Edelstein thanked Lt. Woods, Sgt. Pat Ruiz and Officer Matt Cahill and Christy Tieman each of whom performed a different function to prepare this action item.

Council Member Grossman made the MOTION, seconded by Council Member Mallory, to approve the purchase in the amount of \$371,250.00, by electronic vote. MOTION carried with 5 ayes and 0 nays.

j. Consideration of approving the agreement with Yavapai Humane Society for animal shelter services in fiscal year 2015-2016 in the amount of \$70,000 (ADDED 6-23-15)

Deputy Chief Edelstein commented this is a one-year contract to take stray and surrendered animals to the Yavapai Humane Society shelter. The service cost has increased significantly this year. He plans to have a discussion about some of the nuances of the contract with the Yavapai County Sheriff's Office and the Prescott Police Department.

Council Member Whiting said that he was concerned to see the increase and the shortfall that occurred due to the contract increase. He would appreciate having Mr. Boks here to go through the process of explaining the contract and the needs that the Humane Society have. It is a needed service in our community and worthwhile. We need to look at all the options next year. Mayor Skoog said he shouldn't have been surprised with the population growing the costs are going up.

Vice Mayor Anderson made the MOTION, seconded by Council Member Whiting, to approve the agreement with Yavapai Humane Society for animal shelter services in FY 2015-16, by electronic vote. MOTION carried with 5 ayes and 0 nays.

13. COMMENTS FROM THE PUBLIC

Mr. Russell Willis said he is here on behalf of the Northern Central Arizona Chapter of "Move to Amend. He is here to open a conversation that they would like to bring before Council as a formal agenda item to ask the Council to adopt a resolution. Willis said this national grass roots movement is trying to persuade the Congress to put forth a constitutional amendment to overturn Supreme Court decisions culminating in 2010 with the decision in Citizens United. What this series of decisions has done is make it increasingly clear that private for-profit corporations can spend unlimited amounts to influence elections. In the most recent election cycle in Arizona we had over \$10 million spent by private corporations to influence the Utilities Commission election outcome. They anticipate that well over \$2 billion will be spent by private corporations to influence the outcome of the 2016 election.

What this amendment states is that for-profit corporations do not have the same First Amendment or Fourteenth Amendment rights that human beings have. The Bill of Rights was put forth to protect the rights of the individual human being. Secondly, it further says that states have the right to regulate corporate spending on public elections so that money does not become a corrupting influence in public elections. Historically Congress and the states have had that authority and they have had the authority to treat corporations and labor unions and other corporate entities differently than human beings in making those rules. But in a series of decisions the Supreme Court had made it clear that unless we, the people, step forward and amend the Constitution that the Constitution as it is presently written as interpreted by the Supreme Court, then corporations do have the rights of human beings and the Congress and the states do not have the power to regulate spending in elections. So, that is the reason this grass roots effort has grown up. It may sound odd to bring this question to a Town Council but in order for Congress to decide that this is something they want to undertake (because the Congress by a 2/3 vote puts out a Constitutional Amendment) then ¾ of the States can ratify it. The alternative is for the States to call for a Constitutional Convention which is a much more open-ended process and a lot more difficult to get to. Most of the amendments adopted in the last hundred years have come through the Congressional mechanism. The Congress members aren't really going to understand that this is something they should do, unless the people such as city and town councils step forward and say, yes Representative Gosar, Senator McCain, Senator Flake, this is what we want. That is what they will be coming back and asking for in a few weeks. His phone number is 314-566-3386.

14. ADJOURNMENT

Council Member Whiting made the MOTION, seconded by Council Member Mallory, to adjourn, by electronic vote. MOTION carried with 5 ayes and 0 nays.

Mayor Skoog adjourned the meeting at 6:50 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, June 25, 2015.

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

Dated June 29, 2015

Diane Russell, Town Clerk