

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
July 14, 2016**

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

1. CALL TO ORDER

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

2. INVOCATION

Pastor Terrell Eldreth of the First Southern Baptist Church gave the invocation.

3. PLEDGE OF ALLEGIANCE

Council member Grossman led in the recitation of the pledge of allegiance.

4. ROLL CALL

Present: Vice Mayor Rick Anderson, Council members Marty Grossman, Mary Mallory, Stephen Marshall, Lora Lee Nye, and Michael Whiting.

Absent: Mayor Harvey Skoog.

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Chamber of Commerce

Zack Hurt introduced Martha Mekeel, owner of the *All American Fry Bread* business. Ms. Mekeel gave some historical background about fry bread and of how they came about starting the business. The business location is 5860 N. Robert Rd.

Zack also announced that the Northern AZ Suns Court ribbon cutting was this morning.

b. Distinguished Service Citation

Deputy Chief Edelstein introduced the PVPD VIP volunteers who were present to recognize Bob Adams for a Distinguished Service Citation for rescuing a young child who fell from a float during the April 2016 Prescott Valley Days parade. Edelstein said the volunteers make up for several full-time employees with the town with the service they provide. Edelstein presented Adams with a Police Chiefs Distinguished Service Citation after which he introduced the other VIPs Dave Kybers, Chris Eddlebrock, Dave Dempsey, Bob Denny and Chris Kisney.

- c. Family Violence Unit Officer of the 1st Quarter 2016 and d. Family Violence Unit Officer of the 2nd Quarter of 2016

Deputy Chief Edelstein introduced Detective James Tobin with the Family Violence Unit who introduced *Officer of the Quarter* Officers Tyler Brown (last quarter of 2015) and Robert Payne (1st quarter of 2016) and presented them with Certificates for their going above and beyond efforts with the Unit. Officer Marshall Field (2nd quarter of 2016) recipient was unable to attend. Tobin gave an overview of each officer's accomplishments. Each officer expressed their appreciation to the Town for their employment with this Town and the recognition.

Council members said how proud they are of the PD sworn and volunteer personnel and how thankful they are to have such a successful Family Violence Unit. Tobin and Edelstein thanked council and staff for allowing them to recognize their officer's successes.

6. CERTIFICATES - None scheduled for this meeting.

7. COMMENTS/COMMUNICATIONS

Town Manager Tarkowski announced that Prescott Valley's bond rating has been upgraded from AA- to an AA+ by the bond rating agency Fitch. "We are one step away from being AAA which is fantastic." This two-step increase is based on: excellent policy making and reduction of debt overall. Prescott Valley has gone from \$120M in debt down to \$60M which reflects as \$1,400 per capita. He thanked Management Services Director Bill Kauppi for setting the conservative financial approach and practices, saying that, along with the Town's policy decisions are what ensure that revenue is available to service debt and provide services. Vice Mayor Anderson asked that he share that news with all the Department Heads and thank them for the hard work that they do.

8. CONSENT AGENDA

- a. *Approving the June 16 & 23 Work Study & Council meeting minutes*
- b. *Approving the June 21, 2016 Selection Committee minutes*
- c. *Approving a Grant Agreement between Town of Prescott Valley (on behalf of the Upper Verde River Watershed Protection Coalition) and Arizona Commerce Authority*
- d. *Approving the purchase of a G255 2000 Caterpillar 140H Grader from Arizona Department of Transportation through the State of Arizona Surplus Property Program in the total amount of \$26,000.00*
- e. *Approving the purchase of a Hot Patch Body & Trailer - KM International/KM8000T and Vibco Roller/Mini from Balar Holding Corporation dba: Balar Equipment in the amount of \$43,428.52*

- f. *Awarding the purchase of a new Tractor/Flail Mower to Bingham Equipment Company in the total bid amount of up to \$91,539.87*
- g. *Approving a transfer from the Replacement fund to the Police Grant fund*
- h. *Approving the Law Enforcement Canine Fund Grant Agreement accepting the grant award*
- i. *Accepting the 100 Club of Arizona Safety Enhancement Stipend Award*
- j. *Approving Accounts Payable*

Council member Marty Grossman made the MOTION, seconded by Council member Lora Lee Nye, to approve the items on the consent agenda. MOTION carried with 6 ayes and 0 nays.

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

- a. *Consideration of authorizing the Mayor to sign Resolution No. 1970 approving Final Development Plan (FDP16-011) - a Medical Marijuana Grow Facility*

Planner Carmen Ogden said William Stevens, principal for Business Management Services International, submitted an application for approval of a Final Development Plan to develop a medical marijuana cultivation facility. This development is located on an approximate 8.44 acre parcel, a portion of APN# 402-14-239X, of the Big Sky Industrial Park located generally north of Valley Road, between Enterprise Parkway and Fain Road.

The current zoning classification is M1-PAD (INDUSTRIAL; GENERAL LIMITED – PLANNED AREA DEVELOPMENT). The use is first allowed as a matter of right in the C-3 zoning district subject to the regulations in Prescott Valley Town Code 13-15-070. The current zoning classification and underlying Land Use designation of PAD 6-11 are the appropriate designations for this use.

In 2010, the voters of Arizona approved Proposition 203, the “Arizona Medical Marijuana Act” (AMMA). The AMMA provides for medical use, possession and cultivation of marijuana by and for persons suffering from debilitating medical conditions. The AMMA authorizes municipalities to adopt reasonable zoning restrictions that limit the use of land for registered dispensaries to specific areas. The Town of Prescott Valley developed standards for this use through the passage of Ordinance No. 753. According to Town Code Section 13-15-070 C(10), the maximum floor area of a cultivation facility is not to be greater than three thousand (3,000) square feet, but allows for the expansion of this standard by approval of a Use Permit through the Board of Adjustments. The applicant applied for and was granted a use permit, UP16-001, on June 27, 2016 to increase the allowable floor area to accommodate this project.

The project will develop in two phases. The facility will be in accordance with all town and state regulations which provide for standards relating to building security and lighting throughout the facility.

FDP16-011 is in compliance with the Prescott Valley General Plan 2025 and all applicable Town Codes. The proposed plan provides adequate on-site parking and circulation and will substantially comply with the submitted plan. The Town will benefit from the collection of TPT associated with the construction and operation of this development. It is in conformance with zoning land use designation and comes forth with staff's recommendation of approval.

Council member Stephen Marshall made the MOTION, seconded by Council member Mary Mallory, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1970 approving FDP16-011, and to sign the Proposition 207 waiver. MOTION carried with 5 ayes and 0 nays and 1 abstain. Council member Lora Lee Nye abstained.

b. Consideration of authorizing the Mayor to sign Resolution No. 1971 approving Final Development Plan (FDP16-010) - Advanced Auto Parts

Planner Carmen Ogden said an application was submitted by Garrett Johnson of Armstrong Development, agent for Advanced Auto Parts, for approval of an approximately 6,880 square foot commercial building and associated parking to house Advanced Auto Parts, an automotive parts and accessories retailer. This development's proposed location is on an approximate .86 acre parcel, known as Outlot 4 of the Glassford Hill Market Place. This parcel sits on the SW corner of N. Glassford Hill Rd., south of Lakeshore Dr. and west of Glassford Hill Rd. Adjacent businesses include Walmart and Maverick.

The current zoning classification is C2-PAD (Commercial; General Sales and Service, Planned Area Development). The current zoning classification and underlying Land Use designation of Community Commercial are appropriate for this use.

FDP16-010 is in compliance with the Prescott Valley General Plan 2025 and all applicable Town Codes. It also meets (or will meet) the requirements for commercial PAD's under the Town Code.

The proposed plan provides adequate on-site parking and circulation and will substantially comply with the submitted plan. The Town will benefit from the collection of taxes associated with the construction and operation of this development. The proposed FDP is in substantial conformance with the current C2-PAD zoning requirements, and the use complies with the Commercial Land Use designation in the General Plan 2025. Staff recommends approval of FDP16-010.

Council member Stephen Marshall made the MOTION, seconded by Council member Marty Grossman, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1971 approving FDP16-010, and sign the Proposition 207 waiver. MOTION carried with 6 ayes and 0 nays.

c. Consideration of awarding a construction contract to the lowest responsive bidder, Earth Resources Corporation, in an amount up to \$144,281.00, approve an Amendment to the Town Engineer Agreement with Dava & Associates in an amount of \$23,620.00 and approve a budget transfer amount of \$27,901.00 (Glassford Hill Summit Trail - Castle Drive Widening - CIP# P41.2)

Engineer Ron Pine showed some exhibits of the Castle Drive area and the recently completed Glassford Hill Summit hiking trail and parking lot in the area. To accommodate the access to this hiking area staff proposed to expand the road to a 24-foot width consisting of two lanes between Antelope Lane and Sunset Lane. Gravel replacement is planned for private driveways. The project should be completed over a three-week period.

Earth Resources Corp., the low bidder, also completed the parking lot and are, therefore, very familiar with all traffic flow impacts and improvements needed to successfully complete the project. A notice of construction will be distributed to the residents in the area of the project. A resident meeting will be held on site at the parking lot on Thursday, July 21 at 6:00 p.m.

Council member Nye complimented staff for the efforts to get the word out.

Pine said a notice to proceed will go out on July 25th for this project. Hours of construction will be 7:00 a.m. – 5:00 p.m. since it is a residential area. Notices have also been distributed to residents today for the Viewpoint Overlay project kicking off on Monday. Notices for the PV pipeline have already gone out to the public and construction is underway.

Council member Marty Grossman made the MOTION, seconded by Council member Michael Whiting, to approve the award of a construction contract to the lowest responsive bidder, Earth Resources Corporation, in an amount up to \$144,281.00, approve an Amendment to the Town Engineer Agreement with Dava & Associates in an amount of \$23,620.00, approve the budget transfer. MOTION carried with 6 ayes and 0 nays.

10. COMMENTS FROM THE PUBLIC

Sandra Oket announced the *Hope Still Floats* event that will benefit the Yavapai Family Advocacy Center. A dinner, live music and both a silent and live auction will be held Saturday, August 20 beginning at 6:00 p.m. Tickets can be purchased for \$50 per person or \$450 per table of ten.

11. ADJOURNMENT

Council member Stephen Marshall made the MOTION, seconded by Council member Michael Whiting, to adjourn. MOTION carried with 6 ayes and 0 nays.

Vice Mayor Anderson adjourned the meeting at 6:24 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, July 14, 2016.

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

Dated this July 15, 2016

Diane Russell, Town Clerk