

**TOWN OF PRESCOTT VALLEY
SPECIAL COUNCIL MEETING
MINUTES
October 20, 2016**

Library Auditorium/Council Chambers
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. ROLL CALL

Present: Mayor Harvey Skoog, Vice Mayor Rick Anderson, Council Members Marty Grossman, Mary Mallory, Lora Lee Nye, and Michael Whiting.

Absent: Council Member Stephen Marshall.

3. COMMENTS/COMMUNICATIONS

Parks & Recreation Director Brian Witty introduced new Parks & Recreation staff members Hope Cooper and Brady Peck serving in the Special Events and Arts Coordinator and Aquatics and Ice Coordinator positions. Each came forward and presented a little educational and personal background about themselves. Council welcomed them to the town.

4. CONSENT AGENDA

Vice Mayor Rick Anderson made the MOTION, seconded by Council Member Lora Lee Nye, to remove item 4a. from the Consent Agenda for individual discussion. MOTION carried UNANIMOUSLY.

b. Approving the adoption of the Arizona State Library, Archives & Public Records retention schedules

Vice Mayor Rick Anderson made the MOTION, seconded by Council member Marty Grossman, to approve item 4b. on the consent agenda, by electronic vote. MOTION carried with 6 ayes and 0 nays.

a. Approving the destruction of records

DISCUSSION: Town Attorney Ivan Legler said normally the destruction of paper records is pretty routine. By law, all cities and towns have to follow the retention schedules which tell us we can't keep paper records forever which would require municipalities to buy more and more storage areas. When retention periods have run out then the Town Clerk is required to box the

records up, list them and request council's approval to destroy them. To save tax payer money the old records are removed from the good bankers boxes and put into disposable boxes for destruction. There are some exceptions to the retention rules related to litigation holds or the record may still be in use. The issue here is that folks saw four boxes coming from the legal department on the list for destruction, two of which are magistrate court prosecutor's files. One goal set by the legal department was to get the department civil files in order. In the process of doing this, they came up with two boxes of multiple subjects including agreements, leases, audit opinions, notices of bankruptcy, code enforcement papers, elections, human resources and town code history documents. These are things that are no longer needed and may not be considered records by some as they were copies. The folks concerned who sent an email at the last minute this afternoon are three folks from Prescott County Club who are concerned about annexation records dating back to action taken in 2014 with the Tapadero District. They thought those records might be included in these two boxes. Legler responded to them ensuring them those records are not in those boxes. Most of records are still down in the Com Dev Office. Legler clarified that those records are not in the boxes that council is voting on tonight. We are very cautious about following these statutory requirements because we don't want to destroy documents that are still useful, nor keep things forever then not having space or money to take care of records. That is why this process is so routine.

Council Member Nye said it was good to show the transparency and share the facts. Council Member Grossman said he is glad people are paying attention to what council is doing and that we were able to clear it up so well. Council Member Whiting agreed saying this is just a mundane process we go through.

Legler added that for absolute clarity, that the Town Clerk lost her Records Manager so she had a volunteer who inadvertently pulled a criminal records box which should have waited another two years before being pulled. But it ended up with the other 300 plus boxes for destruction and there is no way to find them. It would take days for someone to try to find those. Those records, dealing with criminal cases, are not needed. They are in the group of two boxes being approved tonight. Once the new person comes on they will be very careful to pull the correct box.

Mayor Skoog added that that does not sound like it pertains to any of the concerns raised today. Legler confirmed that fact saying we wanted you to know that in absolute and complete disclosure. No additional comments were forthcoming.

Council Member Michael Whiting made the MOTION, seconded by Council Member Marty Grossman, to approve the destruction of the records as submitted to council, by electronic vote. MOTION carried UNANIMOUSLY.

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

a. Discussion about the proposed increase in Mayor and Council compensation

Town Manager Larry Tarkowski was asked to bring this issue for discussion this evening, no action is intended. If directed, staff will put it on the next council meeting.

The last time adjustment to council's compensation was in 2007. We have a history of revisiting this every 5-10 years indexing it with other communities. He received a phone call from Council Member Marshall who said he is adamantly opposed to this action.

Council Member Whiting said he is neutral at this point. He finds the stipend he receives sufficient to meet his expenses, but he may not have all the commitments his fellow council members do. Council Member Nye said she uses her own vehicle for business travel. Council members receive many invitations to events that would be appropriate for them to attend but the cost can be as much as \$350 for one month. The town does not compensate for that. She feels it is logical since they have wear and tear on their vehicles and cost of gas. She has the responsibilities to travel a lot. She also wants to make sure that we take care of our current and future mayor and council members so that they will want to run for council rather than feel they could not afford to even consider running because of these expenses. Council Member Grossman said expenses incurred by council include events they are asked to participate in and seminars to attend with related costs in the form of gas, hotel, meals plus registration and participation fees. Many of these events pertain to committees they are assigned to. Council Member Mallory said she is unfamiliar with this process. She does not attend most events because of the expense. Most events are nonprofit entities which provide for those who have the need for financial support. Vice Mayor Anderson said it is hard to ask for a raise. He has been here 8 years and never turned in an expense account. The expenses he incurs are the cost of doing business and a part of being on the council. He attends as many events as he can afford based on the amount of money he is given. Sometimes they do run short and therefore can see how an increase could help. Those of us who spend a lot of time on town business in different areas of the state and do a lot of traveling – it costs a lot of money. This proposed increase is not an outrageous amount of money. It is well deserved and should happen. Now is the time. Mayor Skoog said he has been on the council about 23 years. The first 5 years there was no compensation. Being on council does incur a lot of cost.

Tarkowski commented that many if not most council people around the state are reimbursed for mileage; we do not do that. Secondly, many communities have individual budgets for the council members to attend events; we do not have such an account. It will be brought back for consideration at the next council meeting.

b. Consideration of reappointing Arda Rutherford to the Planning and Zoning Commission

Council Member Nye said on October 31, 2016, Arda Rutherford's term on the Planning and Zoning Commission will come due for renewal. She submitted the renewal application letter choosing to be reappointed. Arda Rutherford was first appointed to a partial term on this board on October 23, 2014 and this re-appointment will be her 2nd consecutive term.

Vice Mayor Anderson made the MOTION, seconded by Council member Lora Lee Nye, to reappoint Arda Rutherford to the Planning and Zoning Commission, by electronic vote. MOTION carried with 6 ayes and 0 nays.

c. Consideration of reappointing John Yeater to the Planning and Zoning Commission

Vice Mayor Anderson said on October 31, 2016, John Yeater's term on the Planning and Zoning Commission will come due for renewal. He submitted the renewal application letter choosing to be reappointed. He was first appointed to a partial term on this board on March 28, 2013 and this re-appointment will be his 3rd consecutive term. Vice Mayor Rick Anderson and Council Members Mary Mallory and Lora Lee Nye are recommending the re-appointment of John Yeater for a term with a renewal date of October 31, 2019.

John Yeater said it is good to be back. They [the commission] have become a more cohesive group over the last few months. With the experience of the current commissioners they are melding together, absorbing the info and they are very happy at this point with what they are doing.

Council Member Lora Lee Nye made the MOTION, seconded by Vice Mayor Rick Anderson, to appoint John Yeater to the Planning and Zoning Commission, by electronic vote. MOTION carried with 6 ayes and 0 nays.

d. Consideration of reappointing Rick Duskey to the Planning and Zoning Commission

Vice Mayor Anderson said on October 31, 2016, Rick Duskey's term on the Planning and Zoning Commission will come due for renewal. He submitted the renewal application letter choosing to be reappointed. Rick Duskey was first appointed to a partial term on this board on June 12, 2008 and this re-appointment will be his 4th consecutive term. Vice Mayor Rick Anderson and Council Members Mary Mallory and Lora Lee Nye are recommending the re-appointment of Rick Duskey for a term with a renewal date of October 31, 2019.

Council Member Lora Lee Nye made the MOTION, seconded by Council Member Mary Mallory, to reappoint Rick Duskey to the Planning and Zoning Commission, by electronic vote. MOTION carried with 6 ayes and 0 nays.

Council Member Whiting commented that they are a cohesive group. We have seen them in action and appreciate their willingness to continue on the commission. Council relies on their expertise in planning and zoning matters.

e. Consideration of approving the purchase of playground equipment for Bob Edwards Park from Play It Safe Playgrounds, via Mohave Contract #14X-PLAY-0220, Quote #3828 in the amount of \$59,917.09

Parks & Recreation Director Brian Witty stated that included in the 2016-2017 fiscal year is the procurement of playground equipment for Bob Edwards Park.

On October 11, 2016 staff presented 7 ADA compliant playground cooperative purchase quotes to the Parks and Recreation Commission for recommendation. Each of the proposals was a mix of a variety of traditional and non-traditional play element options serving youth between the ages of 2 and 12. The Parks and Recreation Commission recommends Option 1 from Play It

Safe Playgrounds in the amount of \$59,917.09, inclusive of professional installation and the required safety surfacing for the playground. Staff will create a construction schedule. The install date is prior to Thanksgiving. Council was thrilled that this is being done.

Council member Marty Grossman made the MOTION, seconded by Vice Mayor Rick Anderson, to approve the purchase of playground equipment for Bob Edwards Park from Play It Safe Playgrounds, via Mohave Contract #14X-PLAY-0220, Quote #3828 in the amount of \$59,917.09, by electronic vote. MOTION carried with 6 ayes and 0 nays.

f. Consideration of authorizing the Mayor to sign Resolution No. 1977 accepting the Governor's Office of Highway Safety Contract 2017-PT-048 STEP for Enforcement Overtime

Chief Bryan Jarrell said this grant will specifically fund overtime related to public safety and traffic enforcement. There is no match or fiscal impact.

Council Member Lora Lee Nye made the MOTION, seconded by Vice Mayor Rick Anderson, to authorize the Mayor (or in his absence the Vice Mayor) to sign Resolution No. 1977 accepting the Governor's Office of Highway Safety Contract 2017-PT-048 STEP for Enforcement Overtime, by electronic vote. MOTION carried with 6 ayes and 0 nays.

g. Consideration of authorizing the Mayor to sign Resolution No. 1978 accepting Governor's Office of Highway Safety 2017 Highway Safety Plan Grant Award 2017-AL-038 for DUI/Impaired Driving Enforcement and Enforcement Related Materials and Supplies

Chief Bryan Jarrell said this grant funding will be directed to DUI enforcement and education at the schools related to driving and texting etc. plus DUI. These two grants total about \$51,000 with no match or fiscal impact to the town. They received monies from SouthWest Risk insurance pool for the 2014 PVPD vehicle that was totaled but it was \$30,000 short of replacing the vehicle. After conferring with the Office of Highway Safety and receiving monies from them they were able to get a Silver Explorer.

Council Member Michael Whiting made the MOTION, seconded by Council Member Marty Grossman, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1978 accepting Governor's Office of Highway Safety 2017 Highway Safety Plan Grant Award 2017-AL-038 for DUI/Impaired Driving Enforcement and Enforcement Related Materials and Supplies by electronic vote. MOTION carried with 6 ayes and 0 nays

h. Consideration of accepting a grant award in the amount of \$10,158 from the Arizona Department of Homeland Security and approve the purchase of the requested equipment and supplies - Contract #160514-01

Chief Bryan Jarrell said this Homeland Security grant with no match required. This is a partial grant that will be used to purchase SWAT tactical vests, helmets and medic supplies.

Council member Lora Lee Nye made the MOTION, seconded by Vice Mayor Rick Anderson, to accept a grant award in the amount of \$10,158 from the Arizona Department of Homeland Security and approve the purchase of the requested equipment and supplies - Contract #160514-01, by electronic vote. MOTION carried with 6 ayes and 0 nays.

- i. *Consideration of approving entry into Contract #160514-02 with the Arizona Department of Homeland Security to accept the \$1,432 grant award and approve the expenses towards the Prescott Valley Police Department Yavapai County Terrorism Liaison Officer (TLO) Training project*

Chief Bryan Jarrell said this Homeland Security grant does not require matching funds and will be used to train our Terrorist Liaison Officer. This officer liaisons with multiple agencies throughout the state and federal organizations primarily through a clearing house at the state that liaisons with different federal agencies. They provide training to our officer to provide him with the awareness of somethings he needs to know on how to look at different situations to assess threats such as when the Donald Trump Presidential Candidate event was here.

Council Member Mallory commented how much she appreciates the Chief proactively going after the grants to provide safety.

Council Member Marty Grossman made the MOTION, seconded by Council Member Lora Lee Nye, to authorize entry into Contract #160514-02 with the Arizona Department of Homeland Security to accept the \$1,432 grant award and approve the expenses towards the Prescott Valley Police Department Yavapai County Terrorism Liaison Officer (TLO) Training project by electronic vote. MOTION carried with 6 ayes and 0 nays.

- j. *Consideration of approving the purchase of police mobile data units*

Chief Bryan Jarrell said they have been operating on a 3G Motorola system on Wi-Fi and modems which does not allow them the connectivity and speed to process reports in the field with their fixed vehicle computers. Going forward they will be using 4G units they can pull from the vehicle and use to type info into.

Council Member Michael Whiting made the MOTION, seconded by Council Member Mary Mallory, to approve the purchase of police mobile data units in the amount of \$78,719.22, by electronic vote. MOTION carried with 6 ayes and 0 nays.

6. COMMENTS FROM THE PUBLIC

Public Comment:

Ms. Debbie Williams said she wanted to talk about item 5a. Williams said the council members are a dedicated, loyal, committed people and she would like us to maintain that level of continuity. She cannot imagine the number of hours the council puts into their work. Prescott Valley is growing and is a town moving forward. Council is invaluable. They have her full support for putting in the time and effort and she recognizes the expense involved.

7. MOTION TO CONVENE INTO EXECUTIVE SESSION in order to conduct the annual review and evaluation of the performance of the Magistrate Judge, Keith Carson. The executive session is scheduled pursuant to Arizona Revised Statutes Section 38-431.03(A)(1), which allows for discussion or consideration of employment, assignment or appointment of a public officer, appointee or employee.

Council Member Mary Mallory made the MOTION, seconded by Vice Mayor Rick Anderson, to move into executive session in order to conduct the annual review and evaluation of the performance of the Magistrate Judge, Keith Carson, by electronic vote. MOTION carried with 6 ayes and 0 nays.

8. RECESS INTO EXECUTIVE SESSION

Mayor Skoog recessed the meeting at 6:27 p.m.

9. RECONVENE INTO REGULAR SESSION

Mayor Skoog reconvened the meeting at 6:44 p.m.

10. ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEMS

Council member Nye made the MOTION, seconded by Vice Mayor Anderson, to award the highest rating merit increase that our system allows. MOTION carried UNANIMOUSLY.

11. ADJOURNMENT

Mayor Skoog adjourned the meeting at 6:45 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 Special Council Meeting of the Town Council of the Town of Prescott Valley, held on Thursday, October 20, 2016.

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

Dated this October 21, 2016

Diane Russell, Town Clerk