

TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
October 27, 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. INVOCATION

Prescott Valley Police Department Chaplain Mr. Dave Castro gave the invocation.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited in unison.

4. 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.

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Student of the Month

Council Member Whiting said Randy Clifford, October Student of the Month, was unable to make it this evening as to conflict. Whiting said she a Bradshaw Mountain High School student being recognized for academic and athletic abilities. She has been on the Principal's Honor list since fifth grade. She is a member of the National Honor Society and Nu Alpha Theta and plans to go to college. She carries a GPA of 4.56.

b. MATFORCE Quarterly Game Changer Award

Lori Deutsch grant writer and special projects coordinator for MATFORCE, called the police officers in attendance forward to accept a mug from MATFORCE. A total of 76 mugs will be distributed to all PVPD officers being recognized as community members and organizations that have gone above and beyond and made a difference in the community. The MATFORCE Staff and Board Members decided that they would recognize all police officers in Yavapai County this month.

c. Com Dev Planner introduction - James Gardener

Community Development Director Richard Parker introduced James Gardener as the town's newest Planner. James provided a little about his educational and professional background. Council members welcomed him to Prescott Valley and wished him a good future with the town.

6. PROCLAMATIONS

a. Charitable Giving Month

Town Clerk Diane Russell read the proclamation. Nancy Hamerly thanked the council for supporting Big Brothers Big Sisters in bringing awareness to our community. Julianna Goswick said this is to bring greater awareness to the community that as tax payers they can choose to put their tax dollars locally into a charity that qualifies. A couple filing jointly can claim up to \$800 to a school of choice and a charitable giving organization. Those filing single can claim up to \$400. Dan Streeter Superintendent of HUSD commented that he appreciates the recognition of the tax credit program and opportunities to keep our tax dollars local.

b. American Indian Heritage Month

Town Clerk Diane Russell read the proclamation. Sue Burk introduced Linda Shebek and Sheri Mesh with the Yavapai Chapter of the Daughters of the American Revolution. In addition to the American Indian Heritage part of this proclamation she said that quite a few Native Americans helped with the American Revolution. In 1774 the Stockbridge Indians signed an agreement that they would help the Americans get their freedom and participated in 3 battles resulting in the death of many of them.

7. COMMENTS/COMMUNICATIONS

Chief Jarrell informed the council that during November some of the officers may look a little scruffy as they will be participating in *No Shave November* primarily for prostate cancer awareness. Officers participating must donate \$50 to a charity concerned with police survivors. Law enforcement officers county wide will be letting their beards grow for the month. Vice Mayor Anderson said he will be participating and is not going to shave either. Town Manager Tarkowski commented that a proclamation will come forward next meeting and many employees will be participating.

Council Member Nye said hockey is back starting last weekend with NAU playing Cal Lutheran. NAU will play Grand Canyon University this weekend. On Monday a *Safe Halloween Trick or Treat* event will be held with over 50 vendors distributing treats to the trick or treaters. The AZ Business League and Early Bird Lions Club are sponsoring this event inside the event center. Moyer's Heating and Cooling will have a haunted house outside. Everyone is welcome on Monday, October 31 from 4:00 - 7:30 p.m.

Council Member Mallory announced that October 28 is Bradshaw Mountain High School's football game against Prescott High School beginning at 7:00 p.m. with a food drive.

Council Member Grossman said as an American Legion 108 member, one of their members who is a disabled Purple Heart recipient Vietnam Veteran needed a fence repair done at his home. Recognizing that he could not do the whole fence, Home Depot provided the \$4,000 in fence materials and labor to build the fence. We have a great community! Thanks Home Depot.

8. CONSENT AGENDA

- a. Approving the October 13, 2016 Regular Council meeting minutes*
- b. Approving a Chlorine Containment Project equipment purchase in the amount of \$16,220.00*
- c. Approving Monthly Department Reports*
- d. Approving Monthly Financial Report*
- e. Approving Council Investment Report*
- f. Approving Accounts Payable*

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

9. PUBLIC HEARINGS - General Plan Amendment GPA16-004 Navajo Commons Apartments

Public hearing opened.

Community Development Director Richard Parker said 9.5 acres located north of Florentine Road, between Commons Circle and Majesty Drive is being considered for development of a 198 unit apartment complex. The process includes neighborhood meetings, meeting with community members and a presentation to the Planning and Zoning Commission to change the in the General Plan 2025. The Planning and Zoning Commission approved the change after a public hearing to recommend approval of the general plan amendment. They also approved a Preliminary Development Plan with a Final Development Plan coming in the near future.

Public hearing closed.

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

- a. Consideration of authorizing the Mayor to sign Resolution No. 1976 approving GPA16-004 for Navajo Commons Apartments*

Council Member Grossman made the MOTION, seconded by Council Member Nye, to authorize the Mayor (or in his absence, the Vice Mayor) Resolution No. 1976 approving GPA16-004 for Navajo Commons Apartments AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 6 ayes and 0 nays.

- b. Consideration of authorizing the Mayor to sign Resolution No. 1979 approving Final Development Plan FDP16-015 for Crowne Pointe Lofts*

Community Development Director Richard Parker said this 96 unit project is adjacent to the Glassford Hill Terraces across the street from the Kia dealership. Adjacent uses include a hotel and a batting cage facility. The Planning and Zoning Commission approved the Preliminary Development Plan and Council have approved a Zoning Map Change which provides for entitlement for the project to go forward under a Planned Area Development Use District which requires Council's approval of the Final Development Plan on a 3.78 acre parcel. Access is Market Street to the interior private street. The eight buildings have been configured so they are not impacted by the neighboring commercial uses and broken up the fields of parking. There is a requirement on the zoning entitlement for this property to require a surcharge of two percent against monthly rents.

Mr. Charlie Arnold came forward representing the developer to say they are glad to get the building off the ground. Council Member Grossman noted that parking spaces exceed what are required. Council Member Mallory, Vice Mayor Anderson and Council Member Nye thanked him for bringing this project to PV and filling a need.

Council Member Nye made the MOTION, seconded by Council Member Whiting, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1979 approving Final Development Plan FDP16-015 for Crowne Pointe Lofts AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 6 ayes and 0 nays.

c. Consideration of authorizing the Mayor to sign Resolution No. 1980 approving FDP 16-014 for Talking Glass Apartments

Community Development Director Richard Parker said this project is located on 9.5 acres across from the Prescott Valley Event Center which has been in the planning process a couple of years. The Planning and Zoning Commission recommends changing the use from commercial to support the multifamily residential use. The Zoning Map change was approved a few months ago and now they bring the Final Development Plan for Council's consideration. The plan includes 214 market rate multiple rate family residences. Apartments downtown makes sense since shopping and entertainment needs are located nearby. They have a large parking area which serves the commercial office complex and this project will serve as overflow and principal parking. On street parking will continue on Main Street. No opposition to the project was received. The three story buildings will have an elevator in each complex.

Mr. Brad Fain said it was great working with staff. The project will blend nicely with downtown. Council thanked him for his commitment to follow through on this project.

Parker added that this project is subject to a two percent surcharge on rents. There has been litigation surrounding the event center over time. Part of the discussion has been the relationship among the bond holders and the fact that this area was designated to contribute to that TPT. As an incentive for the developer for them to invest in this project there is an agreement that council will refund the TPT associated with this initial project construction to the developer. This will ensure the town gets the value out of this investment at this location which carries forth infinitum.

Council Member Mallory said future transportation is in the works with connection from the old Albertson's/Haggen store.

Council Member Marty Grossman made the MOTION, seconded by Council Member Lora Lee Nye, to authorize the Mayor (or in his absence, the Vice Mayor) to sign Resolution No. 1980 approving FDP 16-014 for Talking Glass Apartments authorizing a 214 unit high-rise residential apartment complex on 9.55 acres at the southeast corner of Main Street and Florentine Road (and approving as an economic development incentive reimbursement of the one-time Transaction Privilege Taxes collected by the Town based on construction of the apartment complex, in accordance with ARS §9-500.11), by electronic vote. MOTION carried with 6 ayes and 0 nays.

d. Consideration of reading Ordinance No. 821 proposing an increase in Mayor and Council Compensation

Town Manager Larry Tarkowski said there was some interest in exploring an increase in compensation for mayor and council since the subject was last visited in 2007.

Public Comment

Mrs. Jan Del Rio she suggested that expense reports be used more regularly to cover the car expenses of attending meetings. While a expense report system for reimbursement is available, it is not being used very much. The use of expense reports would be more fair and acceptable to the constituents as some council members attend more events and use their own vehicles more than others.

Council Member Nye commented that she stands by her prior comments. Her most important concern is the future mayor and council. She would be more comfortable if this is put off to a time closer to the next election. Vice Mayor Anderson said there are several reasons why we could say we need compensation increases, but this is a really bad time to consider this since the tax hike was recently enacted and right after they were all just re-elected. Council agreed that this may not be the right time. Council members Whiting, Mallory and Grossman concurred.

Council member Mallory made the MOTION, seconded by Council Member Nye, to NOT read Ordinance No. 821, by electronic vote. MOTION carried with 6 ayes and 0 nays.

e. Consideration of approving a Professional Services Agreement with Stroh Architecture, Inc. in the amount of \$249,067.80 for architectural design of the Police Building Expansion and Remodel project (CIP # F20b)

Capital Projects Coordinator Kim Moon said the last expansion was completed in 2008 and they need additional square footage at the PD. This expansion will provide space for new officers hired in response to growth of our community, and will be funded with public safety development impact fees. Doug Stroh and Bill Ottwell will be working on the design of the building and provide oversight purposes through a later amendment. Design is scheduled to proceed over the winter, with construction estimates ready for the budget cycle in the spring. Upon confirmation of funding, construction is anticipated to begin in the summer of 2017.

Chief Jarrell commented that the building was originally designed to add a second floor. Of the seven applicants, Stroh provided an alternative to adding a second floor that being they could build additional square footage by building another single level floor building. That thinking sold them on going with Stroh.

Doug Stroh and Bill Ottwell thanked them for this opportunity.

Council Member Whiting made the MOTION, seconded by Council Member Grossman, to approve a Professional Services Agreement with Stroh Architecture, Inc. in the amount of \$249,067.80 for architectural design of the Police Building Expansion and Remodel project (CIP # F20b), by electronic vote. MOTION carried with 6 ayes and 0 nays.

f. Consideration of approving a Construction Agreement with Universal Homes for water line relocation reimbursement

Utilities Director Neil Wadsworth said 400 feet of pipe was raised to bring it up to the level the Granville Fairway is constructed at. The agreement is to reimburse Granville who raised the line for us.

Council Member Nye made the MOTION, seconded by Mary Mallory, to approve a Construction Agreement with Universal Homes for water line relocation reimbursement, by electronic vote. MOTION carried with 6 ayes and 0 nays.

g. Consideration of approving an Agreement with CH2MHILL/OMI for Out-of-Scope Services for Chlorine Containment at 10 wells

Utilities Director Neil Wadsworth said the agreement is to install equipment purchased last year and this year. This is to allow CH2M to install that equipment.

Council Member Whiting made the MOTION, seconded by Council Member Nye, to approve an Agreement with CH2MHILL/OMI for Out-of-Scope Services for Chlorine Containment with CH2MHILL/OMI in the amount not to exceed \$33,779.52, by electronic vote. MOTION carried with 6 ayes and 0 nays.

h. Consideration of approving a Professional Services Agreement for Lake Valley Road Improvement Project, CIP # E385

Deputy Town Manager Ryan Judy said they a capital project in this year's budget to improve the southbound lane of Lake Valley Rd. to included widening to two lanes, add curb and gutter, underground drainage and hopefully street lights. A \$300,000 CDBG grant will pay for about half of the project with the remainder funded by streets development impact fees. The recommendation is to award the contract to Dava and Associates.

Council Member Grossman made the MOTION, seconded by Council Member Mallory, to approve a Professional Services Agreement with Dava & Associates for engineering design and construction administration services in an amount of up to \$61,810 for the Lake Valley Road Improvement Project, CIP # E385, by electronic vote. MOTION carried with 6 ayes and 0 nays.

11. COMMENTS FROM THE PUBLIC

Public Comment

Mr. and Mrs. David and Wanda Porubcan of Pronghorn Subdivision Lot 972, came forward to explain in great detail her complaint against Dorn Homes Grading and Drainage Plan which she stated created an incompliant ledge behind their home. The ledge has allowed ATV and mini bikes to “roar” behind the home and over the gas line pipeline. The ledge has become a cesspool of dog waste. Dogs off lease, not picking up dog waste and off roading are violations of Prescott Valley ordinances. Fear for the neighborhood children has heightened. The developer has eradicated homeowner’s inherent right to privacy by dumping dirt in an area that was not part of the plan. They have been working with Records Management and Public Works since January 24, 2016 for clarification of the excavation that is being done behind the home. On August 23 the homeowners received a copy of job 95356 from the Town of Prescott Valley. On September 7, Mr. Porubcan met with Mr. Boyd Robertson who said the ledge was not in compliance and that he would reach out to Dorn Homes to assist in resolution. Robertson said the developer could be fined if the job 95356 was not brought into compliance. They submitted an email with photos noting their concerns on September 12. Mr. Robertson acknowledged the email on September 16. On October 11 they emailed Mr. Robertson seeking an update on correspondence with Dorn Homes. Mr. Robertson replied that “No communication was received back from the developer yet in regards to these concerns. He will be attempting to contact them again this afternoon and will let you know as soon as I know anything”. On October 20 she phoned Public Works and spoke with Director Norm Davis who said he would research 95356, talk with Dorn Homes and discuss the matter with Mr. Robertson. He would also call Mrs. Porubcan and provide an update on October 24. A synopsis of the complaint was submitted to Davis at his request. As of this date, no one from Public Works has made further contact with them. Therefore, she reasoned that there has been no verbal or written correspondence regarding this matter from Dorn Homes to Public Works. She continued that it is incomprehensive that Dorn homes would not respond to the Deputy Public Works Director or Director. She asked that council resolve the compliance breach and that the ledge be removed and the terrain returned to its prior status.

Mayor Skoog asked that she take her issue up with the Town Manager and have him review it. Mr. Tarkowski said that they had contract with Mr. Davis 7 days ago which is a tight time frame to have the developer respond. Nevertheless, he assured that they will get back with her and be responsive to her. Knowing getting a hold of the responsible party with the developer may not have happened as quickly as possible. She started this process back in June so it has taken longer than it should have; we will take care of it.

12. ADJOURNMENT

Council Member Whiting made the MOTION, seconded by Council Member Mallory, to adjourn. MOTION carried with 6 ayes and 0 nays. Mayor Skoog adjourned the meeting at 6:55 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, October 27, 2016.

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

Dated this October 28, 2016

Diane Russell, Town Clerk