

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
March 11, 2010**

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

1. [CALL TO ORDER](#)

2. [INVOCATION - Pastor Kurt J. Eikenberry](#)

Pastor Kurt Eikenberry gave the invocation after which he was presented with a Certificate of Appreciation by Mayor Skoog.

3. [PLEDGE OF ALLEGIANCE](#)

Pastor Eikenberry led the Pledge of Allegiance which was said in unison.

4. [ROLL CALL](#)

Present: Mayor Skoog, Vice Mayor Nye, Council Member Anderson, Council Member Flannery, and Council Member Wise.

5. *SCHEDULED ANNOUNCEMENTS & PRESENTATIONS*

a. [Prescott Valley Military Service Monument Update, Carm Staker](#)

Carm Staker and Bill Brown updated Council as to the progress the Veterans Monument Committee is making with the monument which will be located between the Civic Center and Police Department. The committee purchased trees that are now planted, flagpoles are up and pavers are down. Soon the fence will be installed. Staker showed the architects rendering displaying the monument with the branches of service shown on it. Several fund raisers are planned including a Spaghetti Dinner on April 17 at the Prescott Valley Methodist Church (\$7.00 adults, children under six free) at 4:00 p.m. Tickets can be purchased in advance or at door. A walk is planned during Prescott Valley Days, a telethon and other activities. The committee has been wonderful and worked hard on the project for three years now. Bricks to honor service men and women of the past, present and future have been purchased and are still available for purchase at \$50 each. One brick honors a veteran from the Spanish American War. The bricks will outline the sidewalk between the two town buildings. Businesses can purchase the bricks also.

Mr. Brown expressed his thanks to all who have supported the project and said Prescott Valley deserves this. Council members are the ones who are going to lead us through the future with the decisions that you make.

Ms. Staker stated the committee still needs an additional \$25,000 more to complete the monument which will be composed of cement block covered with black granite with gold flecks. The property was donated by the Town for the monument with a ground breaking last November 11, 2009. They are hoping to have it dedicated this November 11, 2010.

Council member Flannery noted that the committee is a hard working group with dedicated people, but we need to help them get more folks involved in this - businesses too. Architect Peter Bourgois has given blood, sweat and tears for this project. This is a projected \$120,000 project, in-kind donations have been received and are welcome. \$52,000 has been raised to date. The 520 burgundy colored laser engraved bricks are available to non residents of Prescott Valley too. Call 772-9563 or 713-9536 to order a brick or donate in some way.

b. [*Susan Johnstad, Executive Officer NAU/YC*](#)

Susan Johnstad expressed her thanks on behalf of NAU Yavapai. Ms. Johnstad mentioned that within the last couple of weeks Governor Jan Brewer and Congresswoman Ann Kirkpatrick have both visited the facilities. She shared the pictures of the events. Governor Brewer commented what a miracle it is that partners as diverse as the Town of Prescott Valley, Northern Arizona University and Yavapai College came together in a way that she had not seen before to put together a vision for a higher education model. This changes the landscape of Prescott Valley. Ms. Johnstad stated that eventually they hope to have a destination campus for several 4-year degree programs with residency options right here. The Governor saw the auditorium that could be used by the university and community college for functions. They talked to some of the business leaders, and education leaders about the programs. NAU Yavapai's first class of 100 students will be this fall.

Congresswoman Kirkpatrick carried the word of this visionary partnership and model to Washington D.C. She commented that this is a model that can be confidently followed at the state and national levels.

c. [*Tree City USA update, Brian Witty*](#)

Jeff Spone, a seven-year member of the P&R Commission, commented that for the 5th consecutive year Prescott Valley is being recognized as a Tree City, USA. To maintain that the Town must have a Tree Ordinance, a Tree Board, an active Forestry Program and Arbor Day observance (29th of April). Several hundred trees have been planted and 2,126 are currently being maintained. Spone

expressed his appreciation to the Council, the Parks and Recreation staff, the Tree Board and citizens who help during Arbor Day.

6. *PROCLAMATION*

a. *Youth Arts Month*

Town Clerk Diane Russell read the Proclamation after which Mayor Skoog presented it to Nancy Smith and Suzanne Duskey.

7. *CERTIFICATES*

a. *Certificate of appreciation to Dan Smith for 5 years of service*

Town Clerk Diane Russell read the comments submitted by the Parks Department for Dan's five years of service to the town after which Mayor Skoog and Vice Mayor Nye presented him with his five-year pin and Certificate of Appreciation. Dan commented that it is great to work for a place where he can still have a job.

8. *COMMENTS/COMMUNICATIONS*

No comments were forthcoming.

9. *CONSENT AGENDA*

- a. *Approval of Minutes - February 25, 2010 (Regular Session) & February 11, 2010 Joint Council Special Meeting*
- b. *Approving Reversionary Plat (RP09-004) combining Lots 3349 and 3350, Unit 11 located at 8360 and 8372 E. Lakeshore Drive as requested by Alan R. & Amy N. Snyder Revocable Trust*
- c. *Approving Reversionary Plat (RP09-005) combining Lots 3352 and 3353, Unit 11 located at 8400 and 8412 E. Lakeshore Drive as requested by Alan R. & Amy N. Snyder Revocable Trust*
- d. *Approving Reversionary Plat (RP10-001) combining Lot 5360, Unit 17 (APN 103-35-156A) with a portion of abandoned right-of-way (APN 103-35-156B) located east of Viewpoint Drive, south of SR 89A, north of Addis Avenue as requested by Robert Hamill*
- e. *Approving the Upper Verde River Watershed Protection Coalition's proposal to pursue an a) EPA Community Action for Renewed Environment Grant, b) a National Science Foundation Water Sustainability grant, and c) a Water*

Infrastructure Finance Authority grant

- f. *Approving the purchase of a vacant lot at 5425 N. Robert Rd. (APN#103-34-136) in the amount of \$26,500 to be reserved for storm water conveyance improvements*
- g. *Approving Accounts Payable for 2/17 thru 3/02/2010*

Council Member Wise made the MOTION, seconded by Vice Mayor Nye, to approve all items on the Consent Agenda, by electronic vote. MOTION carried with 5 ayes and 0 nays

10. UNFINISHED BUSINESS (FOR ACTION)

- a. Consideration of approving the second reading, by title only, and passage of Ordinance No. 742 approving Zoning Map Change (ZMC09-006); Veterans of Foreign Wars, applicants

Mayor Skoog asked the Town Clerk to read Ordinance No. 742 for its second reading. Mayor Skoog asked, "Shall the ordinance pass?" after it was read. Council voted unanimously to pass Ordinance No. 742.

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

- a. Public Hearing Open Public Hearing Building Code Amendments to Chapter 7 of the Town Code Close Public Hearing

Mayor Skoog opened the Public Hearing. Rebecca Myers, Community Development Administrative Supervisor clarified the points of the requested code amendment. Four of the amendments are considered housekeeping in nature and are being proposed to bring consistency between applications between boards. Those amendments include: a clarification on the Building Board of Appeals, an increase in an Application Fee from \$25.00 to \$50.00, to implement a deadline timeframe for an application submittal to the Board of Appeals and increase the timeframe for scheduling a meeting of the Board of Appeals from 15 to 20 days.

Another proposed amendment would allow the official or designee to file a Notice of Violation with the Yavapai County Recorder's Office to streamline the processes and reduce abatement costs. At this time there are no provisions in Town Code to pursue violations that are not brought into compliance. Other jurisdictions use a similar code for authority to pursue these issues.

Council member Flannery disagreed with an increase in fees and sees it as an obstruction in these bad economic times. Ms. Myers responded that this increase would affect very few folks as most violations are resolved prior to reaching this level.

Sandy Griffis, representing the Contractors Association, agrees with this housekeeping effort to address violations and she considers it a tremendous asset to controlling violations. She expressed concern about how this change would help given the situation of a bankrupt contractor. In addition, the verbiage states the official or designee MAY file ... She stated it is important that the code states WILL or SHALL, not MAY. Ms. Griffis added there will be no way of enforcing the notices of violation in bankruptcy cases. So will the Town abate the issue or turn it over to the bank and make them responsible for the violation?

Ms. Myers responded that a bankruptcy is a totally different subject. The Town continues to fence off properties to limit access due to safety concerns. The Town does not intend to do anything on bankruptcy properties other than secure it. The Notices of Violations end up in front of an Administrative Hearing Officer and are typically resolved at that level and so do not move forward to the Board of Appeals. This step is to inform those additional stakeholders (i.e. a subsequent property owner) who come in after the fact.

Town Attorney Ivan Legler added that when the violation is abated, a Release of Notice is required by statute within a given period of time. The word MAY provides some flexibility in that case.

Mayor Skoog closed the Public Hearing as no further comments were forthcoming.

b. [Consideration of authorizing the first reading of Ordinance No. 743 by title only, approving certain amendments to Chapter 7, Building, of the Town Code](#)

Council Member Anderson made the MOTION, seconded by Council Member Wise, to approve the first reading of Ordinance No. 743 by title only, approving certain amendments to Chapter 7, Building, of the Town Code, by electronic vote. MOTION carried with 5 ayes and 0 nays

Town Clerk Diane Russell read Ordinance No. 743 by title only for the first reading.

c. [Consideration of approving an Amendment to the Town Engineer Agreement for design and construction period services in the amount of \\$29,358.00 for the Glassford Hill Asphaltic Rubber-Asphaltic Concrete Friction Course \(AR-ACFC\) project](#)

Public Works Director Norm Davis stated that through ARRA funding, with ADOT administration, the Glassford Hill Road project from 89A to Long Look Dr. was completed in November. Budgeted road maintenance dollars in the amount of \$500,000 will be used to resurface the remainder of Glassford Hill Rd. from Highway 69 to Long Look Dr. completing the roadway resurfacing.

The Town Engineer Agreement Amendment is to allow Dava & Associates to draw up the construction plans and oversee the project. If approved, bids are expected to go out in April and then it would be brought back for award to have the job completed in this budget year.

Council member Wise asked if this is the quieter and smoother road surfacing. Davis confirmed that this is the type of surfacing material that will provide those attributes and added they are typically used on higher-speed, high-use roadways. Davis added that it provides UV protection so the surface won't break down as fast, it will eliminate the ripple effect and we'll get more years of service from it. Davis continued that these are concurrent projects but they are separate. Because this is a temperature-dependent program, resurfacing will be applied in warmer months.

Council Member Wise made the MOTION, seconded by Council Member Anderson, to approve an Amendment to the Town Engineer Agreement for design and construction period services in the amount of \$29,358.00 for the Glassford Hill Asphaltic Rubber-Asphaltic Concrete Friction Course (AR-ACFC) project, by electronic vote. MOTION carried with 5 ayes and 0 nays

- d. [Consideration of authorizing the Mayor to sign Resolution No. 1693 approving FDP 10-001 for Granville Unit 3, Parcel 12; Joseph Contadino and Granville Development Company of Prescott Valley LLC applicants](#)

Community Development Planner Ruth Mayday, stated this final development plan is to expand the footprint around the Community Center and approve the addition of an exercise center and pool.

Council Member Anderson made the MOTION, seconded by Council Member Wise, to approve authorizing the Mayor to sign Resolution No. 1693 approving FDP 10-001 for Granville Unit 3, Parcel 12, by electronic vote. MOTION carried with 5 ayes and 0 nays

- e. [Consideration of authorizing the Mayor to sign Resolution No. 1694 approving FDP 10-002 amending FDP05-019 for Granville Unit 4, Parcel 14; Joseph Contadino and Granville Development Company of Prescott Valley LLC applicants](#)

Community Development Planner Ruth Mayday said the developer has requested an Amendment to the original Final Development Plan to allow encroachment and address setback on certain lots for a new project that they would like to introduce in Granville Unit 4. The encroachment will vary from 1 to 4 feet depending on the lot.

Council Member Anderson made the MOTION, seconded by Council Member Flannery, to approve authorizing the Mayor to sign Resolution No. 1694 approving

FDP 10-002 amending FDP05-019 for Granville Unit 4, Parcel 14 , by electronic vote. MOTION carried with 5 ayes and 0 nays

12. COMMENTS FROM THE PUBLIC

Carm Staker noted that the Veterans Monument Committee meets the first Monday of every month at the Prescott Valley Methodist Church at 6:00 p.m.

Richard Imburgia, on behalf of the VFW, thanked the Fain Family for their generous gift of 2 acres of land for the new VFW building. He thanked the Council for approving the rezoning of the land to allow them to use the site. Mr. Imburgia went on to say what the new building will include and the benefits the VFW provides to the veterans and the community.

13. Adjournment

Council Member Wise made the MOTION, seconded by Vice Mayor Nye, to approve adjournment , by electronic vote. MOTION carried with 5 ayes and 0 nays

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, March 11, 2010.

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

Dated this 3/11/2010

Diane Russell, Town Clerk