

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
October 28, 2010**

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

1. *CALL TO ORDER*

2. *INVOCATION*

Pastor Dennis Sullivan of the Landmark Missionary Baptist Church gave the invocation after which Mayor Skoog presented him with a Certificate of Appreciation.

3. *PLEDGE OF ALLEGIANCE*

Mr. Clyde Kincaid led the Pledge of Allegiance which was said in unison.

4. *ROLL CALL*

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

5. *SCHEDULED ANNOUNCEMENTS & PRESENTATIONS*

a. *Certificate of Appreciation, Arizona Public Service N.W. Forestry Division*

Mayor Skoog read, and then presented the Certificate of Appreciation to Mr. Jeff Sphon for providing trees for the Old Town Park. Mr. Brian Witty, Parks & Recreation Director and Council members Lasker and Flannery expressed their appreciation for APS N.W. Forestry Division for their participation and contribution to this project.

b. *VFW Building Update, Clyde Kincaid*

Clyde Kincaid stated he has been a member of the VFW for 39 years in Prescott Valley. The VFW is finally realizing their dream to build a post home and they are half way there. The shell building is up, but they are at a standstill until they raise the funds to continue. Utility installation is just around the corner and a parking lot needs to go in yet. Mr. Kincaid added that the VFW is looking for new membership to complete their goal. Cmdr. Chuck Abraham, George Crocket and

Fred Nelson were introduced. Mr. Chuck Abraham commented that this post home is going to give veterans a place to go to be with other veterans and their families. Contributions and donations can be made to Veterans of Foreign Wars Post 10227, P. O. Box 25702, PV 86312, call 772-0621. Cmdr. Abraham thanked Prescott Valley for their assistance in helping the VFW get as far as they have to realize this goal.

c. *Distinguished Budget Presentation Award to Prescott Valley & Bill Kauppi*

Town Clerk Diane Russell read the Government Finance Officer's Association letter that gave the Budget Presentation Award. Management Services Director Bill Kauppi stated this is a team effort and commended both Heidi Derryberry and Lee Allbritton for their outstanding work on the budget. Kauppi announced that Heidi was the former Town's Budget Analyst and as of this past Tuesday she is the new Finance Manager. Council member Flannery said he was glad that Kauppi acknowledged this is a team effort. He noted that the budget process begins in the fall and continues into the spring. Council members and Town Manager Tarkowski complimented Bill and Heidi on their work and noted how difficult this process has been the last few years given the economy. Continuing to be recognized nationally ten years in a row says a lot. Tarkowski continued that the Council makes the job easier by giving clear and concise direction to staff. The budget book is a tool and used as a guide for the year.

6. *PROCLAMATION*

a. *Honor and Remember Day, Gold Star Mothers*

Town Clerk Diane Russell read the proclamation after which Mayor Skoog presented it to Laura Sutton, Blue Star Mother (son or daughter in service), Jasmine Crowel, Gold Star Mother and George Martone, Gold Star Father (lost a child in active duty). Ms. Sutton explained the design of the *Honor and Remember Flag* which will be flown nationally.

7. *CERTIFICATES*

a. *Plaque of Appreciation to Gwen Draper for 10 years of service*

Town Clerk Diane Russell read the accolades submitted by the Library Staff after which Gwen Draper was presented with a bouquet of flowers by library staff, and a Plaque of Appreciation and pin by Mayor Skoog. Council expressed their appreciation to Gwen for her service to the town, especially during these challenging times.

8. *COMMENTS/COMMUNICATIONS*

Council member Nye announced the Phase II Veteran's Military Service Monument celebration on November 11 at 2:00 p.m. at the veteran's monument. They are planning the dedication of the *Walk of Honor* which are the bricks purchased by individuals to honor their loved ones [veterans]. They anticipate having bricks available at the celebration. Funds are needed to finalize the monument. Only the granite monument is needed to complete the monument. The monument will cost \$18,000.

9. CONSENT AGENDA

- a. *Approval of Minutes - October 14, 2010*
- b. *Approving a new Series 9S Sampling Liquor License Application for Sam's Club #4977 located at 5757 E. State Route 69; Clare Hollie Abel, agent*
- c. *Approving the Department Reports*
- d. *Approving the Council Investment Report*
- e. *Approving the Monthly Financial Report*
- f. *Approving Accounts Payable for October 6 thru 19, 2010*
- g. *Authorizing the ratification of prior signature of the annual Intergovernmental Agreement with the Yavapai Free Library District*

Council Member Wise made the MOTION, seconded by Council Member Schumacher, to approve all items on the consent agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays.

10. *OLD BUSINESS (FOR ACTION)*

- a. *Consideration of approving the final passage of Ordinance No. 752 adopting amendments to Section 10-01-030 "Fireworks" of the Town Code*

Mayor Skoog instructed the Town Clerk to read **Ordinance No. 752** by title only for the second reading. Town Clerk Diane Russell read **Ordinance No. 752** by title only. Mayor Skoog asked, "Shall the Ordinance Pass"? **Ordinance No. 752** passed by UNANIMOUS vote.

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

- a. *Consideration of approving the reappointments of Rick Duskey, Nicole Russell and John Gay to the Planning and Zoning Commission with terms renewing on October*

31, 2013

Council member Flannery, Nye and Lasker recommend the reappointment of Rick Duskey, Nicole Russell and John Gay. Mr. Rick Duskey and John Gay were introduced and expressed their appreciation for the reappointment. Ms. Russell could not be present, but expressed her appreciation for the reappointment via email. Mr. Duskey and Mr. Gay thanked Richard Parker and the Com Dev Department for the administrative support the commissioners receive for the meetings. Mr. Duskey added that it is a pleasure to come to a council meeting like this and not see divisiveness, to see awards of achievement we have and realize this is a great place to live. Council members recognized the commissioners for their contributions and efforts for the town.

Council Member Flannery made the MOTION, seconded by Council Member Wise, to approve the re-appointment of Rick Duskey, Nicole Russell and John Gay to the Planning and Zoning Commission to terms with a renewal date of October 31, 2013, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- b. Consideration of approving the appointment of Don Tjiema to fill an existing term on the Planning and Zoning Commission for a term renewing on October 31, 2011

Council member Flannery stated that former commissioner Ellen Babbitt resigned to relocate to another town. Council members Flannery, Lasker and Nye are recommending Don Tjiema as her replacement. Mr. Tjiema's background in the construction trade and as a first responder, make him a unique candidate for the Planning and Zoning Commission. Nye and Lasker commented that we lucky to have the quality applicants that we have. Don Tjiema said he is humbled by his selection and has a desire to see the town move forward.

Council Member Flannery made the MOTION, seconded by Council Member Lasker, to approve the appointment of Don Tjiema to fill an existing term with a renewal date of October 31, 2011, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- c. Consideration of authorizing the signing of Resolution No. 1722 approving a Call of Election setting the Primary Election date for Tuesday, March 8, 2011 and General Election for May 17, 2011 (if necessary) for the purpose of electing four Council members as an all "mail ballot" election

Town Clerk Diane Russell announced the upcoming Spring 2011 Council Election to fill four council seats. The Primary Election is scheduled for March 8, 2011 and the General Election for May 17, 2011. Staff proposes to contract with Yavapai County Voter Registration and Elections for administrative services of those elections as they have in the past. Residents are encouraged to register to vote as February 7, 2011 is the deadline. Nomination packets are available on Monday, November 1, 2010 at the Town Clerks office. A minimum of 368 signatures are

required to be considered as a candidate for the ballot. Council Member Wise made the MOTION, seconded by Council Member Schumacher, to authorize the Mayor (or in his absence the Vice-Mayor) to sign **Resolution No. 1722** calling for a Primary Election on Tuesday, March 8, 2011 and a General Election on May 17, 2011 (if necessary) for the purpose of electing four Council members as an all mail ballot election, by electronic vote. MOTION carried with 7 ayes and 0 nays

- d. Consideration of authorizing the Mayor to sign Resolution No. 1723, as an emergency measure, approving an escrow trust agreement with U.S. Bank NA and the payment of an initial cash amount into the escrow from cash reserves for eventual defeasance of the 2003 MPC Bonds

Bob Casillas explained why we are suggesting this action at this time even though the bond call date is not until January, 2013. The interest rate varies from 3.6 up to 4.5 percent. Because the Town has cash reserves on hand, there is an opportunity for the town to pay off the bonds early. Council member Nye pointed out that the town would save \$322,449.25 on interest by retiring the bonds early. This will actually happen by mid December 2010. The bonds will actually be called in January, 2013. Benefits realized from this action are increased bonding capacity and increased debt service coverage. The money to defease the bonds will come from the district water capacity fund (\$3.2 million). The town has \$35 million in outstanding MPC bonds. That money cannot legally be used on anything else. Casillas reiterated that the council and administration would be exercising fiscal prudence by taking this step which will result in an increase in bonding capacity to finance any potential future capital projects.

Council Member Nye made the MOTION, seconded by Council Member Schumacher, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign **Resolution No. 1723**, as an emergency measure, approving an escrow trust agreement with U.S. Bank NA and the payment of an initial cash amount into the escrow from cash reserves for eventual defeasance of the 2003 MPC Bonds, by electronic vote. MOTION carried with 7 ayes and 0 nays

- e. Consideration of authorizing the Mayor to sign Resolution No. 1719 approving a Development Agreement with WESCAP Investments, Inc. for the View Point Senior Community, Phase I

Community Development Director Richard Parker said WESCAP has been stellar in bringing approximately 600 affordable housing units to town. The final development plan for the View Point Apartments was approved at the October 14th council meeting. Tonight's action would defer the impact fees of almost \$440,000 until Certificates of Occupancy are issued. As part of the Development Agreement, WESCAP will pay for the building permits providing for immediate services to that project. Water meters will be paid for when the meters are activated which is provided for outside of the Development Agreement. Sungate Villas 1 went in at Prescott Valley because the town chose to defer those fees when they were being

built. There are still a few units left in Sungate Villas 2 which can be had on a first come, first serve basis. Chris Fergus commented last work study that they are building them here because this town is easy to work with. There is a huge demand here for affordable housing.

Council Member Schumacher made the MOTION, seconded by Council Member Nye, to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign **Resolution No. 1719** approving a Development Agreement deferring collection of specified development fees for the View Point Senior Community Phase I Project, by electronic vote. MOTION carried with 7 ayes and 0 nays.

12. COMMENTS FROM THE PUBLIC

George (Augie) Martone stated he is once again promoting an inline hockey skating rink for the kids. As a volunteer, he would go around to the schools and see how many teens may be interested in this sport. Town Manager Larry Tarkowski said that the Parks and Recreation Department will take a look at this issue for consideration in the five year plan which they prioritize each year. Council member Flannery suggested the involvement of a Youth Commissioner although they have not been successful in getting youth participation in the past.

13. MOTION TO CONVENE INTO EXECUTIVE SESSION (PER A.R.S. §38-431.03(A)(3) & (A)(4)) in order to discuss or consult with the attorneys of the public body for legal advice, and to consider its position and instruct its attorneys regarding that position, as to the following: - Community Facilities District financing issues

Council Member Lasker made the MOTION, seconded by Council Member Schumacher, to approve recessing into Executive Session, by electronic vote. MOTION carried with 7 ayes and 0 nays.

14. *[Recess into Executive Session]*

Council recessed for the Executive Session at 7:16 p.m.

15. *[Reconvene into Regular Session]*

Council reconvened into Regular Session at 8:40 p.m.

16. *ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEMS*

No action was taken.

17. *ADJOURNMENT*

Council member Nye made the MOTION, seconded by Council member Lasker, to adjourn the meeting. MOTION carried UNANIMOUSLY. Mayor Skoog adjourned the meeting at 8:41 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 28, 2010.

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

Dated this November 2, 2010

Diane Russell, Town Clerk