

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
October 25, 2007**

*Magistrate Court/Council Chambers
Civic Center
7501 E. Civic Circle
Prescott Valley, Arizona 86314*

1. *CALL TO ORDER*
2. *INVOCATION*
3. *PLEDGE OF ALLEGIANCE*
4. *ROLL CALL*

The meeting was called to order by Mayor Skoog at 5:30 p.m. in the Magistrate Courtroom/Council Chambers. Pastor Wade Mansfield, Glassford Hill Baptist Church, gave the Invocation after which the Pledge of Allegiance was said in unison as led by Ben Harper. The following council members were present for roll call:

Harvey Skoog	Mayor
Harold Wise	Vice-Mayor
Fran Schumacher	Council member
Bob Edwards	Council member
Mike Flannery	Council member
Lora Lee Nye	Council member
Mary Baker	Council member

This was a joint meeting with the Mayor's Youth Advisory Council. Present were:

Jessica Scott	Youth Mayor
Ashley DiCristina	Youth Vice-Mayor
Keith Nixon	Youth Council member (Flannery)
Nathan Smith	Youth Council member (Nye)
John Rossie	Youth Council member (Schumacher)
Zachary Pinkley	Youth Council member (Edwards)
Kelsey Clark	Youth Council member (Baker)
Jacob Diaz	Youth Town Manager

5. *ANNOUNCEMENTS & PRESENTATIONS*
 - a. *Arena Football*

Mr. Shipp and Mr. Simmons gave the first, autographed football for the IFL. The IAFA League is a well-respected league that will bring show time entertainment to the area, starting in March of 2008.

Vice-Mayor Wise asked when the team was going to be named. They are putting it in the Courier tomorrow and a contest for future and current fans will be held to name the team.

b. OMI Annual Report

Utility Operations Coordinator, Mark Kieren, introduced John Bowman, Project Director and Juan Mancha, Operations Manager, with CH2M Hill/OMI, who presented the annual report for OMI.

c. Building Board of Appeals expression of appreciation to Cal Nigh, Johnny Kolacek and Richard Leithead

Building Official, Woody Lewis, offered his thanks to Cal Nigh, Johnny Kolacek and Richard Leithead for their years of service on the Building Board of Appeals. Council member Flannery pointed out that these three gentlemen were reappointed to the Board at the last council meeting and he had suggested they come back so that they could be thanked for the outstanding job they do on behalf of the Town.

- Management Services Director, Bill Kauppi, and Budget Analyst, Heidi Derryberry, were presented plaques from the Government Finance Officers' Association of the United States and Canada Certificate of Recognition for Budget Preparation.

6. CERTIFICATES

a. Certificate of appreciation to Laura Molinaro for 20 years of service

Chief Dan Schatz, former Chief Ed Seder and all of the Council honored Commander Molinaro for her 20 years of service. Commander Molinaro expressed her gratitude and introduced two Special Olympics members. Mayor Skoog presented Laura with a plaque, gift certificate and pin.

b. Certificate of appreciation to Bob Todd for 10 years of service

Town Attorney, Ivan Legler, spoke about Bob Todd's accomplishments for his 10 years of service to the Town, after which Mayor Skoog presented Bob with a plaque and pin.

c. Certificate of appreciation to Del Miller for 10 years of service

Town Clerk, Diane Russell and Chief Schatz had words for Del Miller and Mayor Skoog presented Del with a plaque and pin.

d. Certificate of appreciation to Kim Moon for 5 years of service

Town Manager, Larry Tarkowski, and Council gave recognition to Kim Moon for her years of service, after which Mayor Skoog presented Kim with a certificate.

7. COMMENTS/COMMUNICATIONS

There were no further comments.

8. CONSENT AGENDA

a. Approval of Minutes – October 11, 2007

b. Liquor Licenses & Permits

Approving a new Series 10 (Beer & Wine Store) Liquor License for Azteca Market located at 8116 Spouse Dr., Ste B; Jose L. Bautista applicant

c. Authorizing the Mayor to sign Resolution No. 1536 appointing Vantage Trust Company as the successor trustee for 457 Plan Trust

- d. *Authorizing the Mayor to sign Resolution No. 1538 approving receipt of grant funding through the Governor's Office of Highway Safety, Office of Juvenile Justice and Delinquency Prevention Underage Drinking Prevention Program*
- e. *Accepting Easements for Robert Rd., Phase B project from Spouse to Tranquil (CIP#412.B)*
- f. *Approving Departmental Monthly Statistical Reports:*
 - Community Development*
 - Library*
 - Parks and Recreation*
 - Police Department*
 - Public Works*
 - Town Clerk*
- g. *Approving the Management Services Monthly Financial Report*
- h. *Council Investment Report*
- i. *Approving Accounts Payable for October 5 thru 18, 2007*

Youth Manager, Jacob Diaz, asked that Item 8d [Resolution 1538] of the Consent Agenda be discussed in greater detail.

Chief Schatz made comments about the Governor's Office of Highway Safety, Office of Juvenile Justice and Delinquency Prevention Underage Drinking Prevention Program, stating that the Police Department continues to seek grant funding for addressing important areas of law enforcement in the community. PD personnel are aware that underage drinking is a serious problem in Prescott Valley as well as throughout the State of Arizona and the United States. Costs include medical care, work loss, and pain and suffering associated with alcohol use by youth. Some estimate a cost of \$2,207 per year for each youth in the U.S. Young people who begin drinking before age 15 are four times more likely to develop alcohol dependence and are two and a half times more likely to become abusers of alcohol than those who begin drinking at age 21. Therefore, the Governor's Office of Highway Safety (GOHS) offers grant funding on behalf of the U.S. Office of Juvenile Justice and Delinquency Prevention (OJJDP) for a "Combating Underage Drinking Program".

Council member Baker made the MOTION, seconded by Council member Nye, to approve all items on the Consent Agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays.

9. UNFINISHED BUSINESS (FOR ACTION)

- a. *Consideration of approving the second reading, by title only, and passage of Ordinance No. 700 repealing Town Code Article 10-5 "Smoking in Enclosed Public Places and Places of Employment" to conform with the "Smoke Free Arizona Act"*

The council had no further comments as this was the second reading of this ordinance. The Town Clerk, Diane Russell, read Ordinance No. 700 by title only. Mayor Skoog asked "Shall the Ordinance pass?" Ordinance No. 700 passed with 7 ayes and 0 nays.

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

- a. *Consideration of reappointing Brian Howell and Scott Richards to the Planning and Zoning Commission to terms expiring October 31, 2010*

Council member Flannery reported that on October 31, 2007, three terms will come up for renewal. Two of the current Planning and Zoning Commission members expressed their interest in continuing to serve on this Commission. Brian Howell and Scott Richards wish to be considered for re-appointment to the Planning and Zoning Commission. Brian Howell was appointed on August 31, 2006 to fill an existing term and this re-appointment will be for his first full term. Scott Richards was appointed on October 27, 2005 to fill an existing term and this re-appointment will be for his first full term also. Council Members Flannery, Schumacher and Nye are recommending the re-appointments of Brian Howell and Scott Richards to the Planning and Zoning Commission for terms with a renewal date of October 31, 2010.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to re-appoint Brian Howell and Scott Richards to the Planning and Zoning Commission to terms with a renewal date of October 31, 2010, by electronic vote. MOTION carried with 7 ayes and 0 nays.

Council member Flannery also stated that there is another vacancy on the Planning and Zoning Commission and interviews were held yesterday. This appointment will be brought forward at the November 8, 2007 council meeting.

b. Consideration of authorizing the Mayor to sign Resolution No. 1537 adopting a Final Development Plan for the Walmart Supercenter (FDP07-014)

Community Development Director, Richard Parker, introduced two individuals representing Walmart. The applicant is requesting Final Development Plan approval to permit the construction of a one hundred eighty-six thousand, five hundred thirty-four square foot Wal-Mart Supercenter retail facility on an approximately twenty (20) acre site located along the west side of Glassford Hill Road, west and south of the Lakeshore Drive, Glassford Hill intersection. The proposed site is located in a C2-PAD, related to the development of the Glassford Hill Power Center on approximately seventy-five (75) acres.

The applicant has provided a project narrative, comparative analysis and pictorial analysis of the building architecture to highlight façade improvements that are proposed beyond the standard Wal-Mart Supercenter facility. The individuals from Walmart gave a presentation of the plans for the new Walmart.

Council member Nye expressed her appreciation for the changes that were made to the center based on council requests. She does not feel that this is a unique Walmart. She has seen other Walmarts with special architectural treatments. She is disappointed with the end result of the design of this Walmart.

Council member Schumacher said she thought the receiving bays were going to be on the side of the store. It appears that there are bays in the back. The response was that those in the back are the coiling doors in the garden center to let air in for ventilation. Council member Schumacher also asked how high the parapets are. The response was that the average elevation at the front of the building is approximately 30' high and the architectural features spring up to 38-39' at the entries. On the sides the elevation steps down by 2' increments. At the rear of the building the elevation is about 26' high.

Vice-Mayor Wise said that he read through the changes from the typical Walmart. Is there another Walmart with the same, color and configuration? The response was no. This Walmart is unique to Prescott Valley. Vice-Mayor Wise says that it will be hard to please everybody. At this point he feels that a lot has been done and this is a quality presentation and is unique to Prescott Valley.

Council member Edwards said he also looked at other Walmarts across the country on a recent trip and found them to be all similar in color and design. He thinks that the color combinations and blending of the Prescott Valley Walmart will be unique and he is pleased with it.

Vice-Mayor Wise made the MOTION, seconded by Council member Schumacher, to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1537 adopting Final Development Plan 07-014, by electronic vote. MOTION carried with 6 ayes and 1 nay (Council member Nye).

- c. Consideration of Authorizing the Mayor to sign Resolution No. 1539 approving a letter of support for an Emergency Communications Site on Glassford Hill to the Arizona State Land Department*

Commander Molinaro reported this item for a public safety communications site was brought before work study last week. This site, located on Glassford Hill, is a small site which is approximately one quarter of an acre, along with an easement along an existing roadway, that is already there to service the site which is on top of Glassford Hill.

The site itself will be designed for public safety entities and first responders only. We are not proposing any private use of this. This will also be for Prescott PD, Yavapai College PD, Prescott Fire, Central Yavapai Fire, DPS, Chino Valley PD, Williamson Valley Fire, Sedona, National Forest Service, ADOT and it is also available to the Yavapai County Sheriff's Office as well as Lifeline Ambulance.

The future of public service communications is expanding into the data realm, necessitating the building of this public safety communications site. Data requires microwave and microwave requires specific equipment. That type of equipment can not be accommodated on the existing site. We need to expand our communications capabilities to foster a sense of interoperability with other agencies throughout the state. This site is integral to that. It is a very important piece of the puzzle for northern Arizona and the state.

This week the final award letter was received for a Homeland Security Grant for a little over \$177,000 to retrofit 15 vehicles of our existing fleet with data equipment. All the new vehicles purchased in this budget year and forward will also have that equipment.

There will be a three-way partnership for the site: Prescott Valley (acquires the land for the easement for the power line and for the site on Glassford Hill); Central Yavapai Fire District (would place the concrete and tower); and the City of Prescott (cost of the private utility line and the building that would go on the site).

It is of utmost importance that we preserve and protect the top of Glassford Hill. All efforts will be made to restrict the amount of towers that are allowed to be placed there. The ones that will be there will not be visible from the base.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1539 to recommend approval of a lease on Glassford Hill for a new telecom facility for public safety purposes, by electronic vote. MOTION carried with 7 ayes and 0 nays.

d. Consideration of authorizing the Mayor to sign a Letter of Promulgation for the Prescott Valley Disaster Guides & Plans as updated by Yavapai County Emergency Management

Chief Dan Schatz stated that the Prescott Valley Disaster Guides & Plans (DG&P) were last updated in October 2001. Staff proposes a current update with the assistance of Yavapai County Emergency Management. This update includes several new Response Guides (Avian Influenza, Crisis Relocation and Mass Evacuation) and complies with the National Incident Management System (NIMS) requirements. It also includes a pre-emergency guide for the Mayor and Council.

The purpose for the Prescott Valley DG&P is to comply with statutory requirements (Arizona Revised Statutes, Title 26, Chapter 2) for the Town to participate with Yavapai County and the State of Arizona in disaster planning. The DG&P provides direction and guidance to the various Town departments and supporting agencies to prepare for and execute assigned emergency tasks in the event of natural or man-made disasters. It is effective upon approval by the Town Council and will generally be put into effect in the event of a declaration of emergency by the Mayor.

In the past, staff has conducted exercises in preparation for operating under the DG&P. Future exercises are planned to continue to prepare to operate under this updated Plan.

Council member Schumacher noticed that in the plan there is something for a pandemic. We also have our own pandemic plan that the Clerk has put together. If anything happens, we have a detailed plan. How does that fit in to our plan? Chief responded that these two plans do not “step on each other”. The one in the Disaster Guides and Plans is not as comprehensive as the one that the Town has put together. In the event there was a pandemic, we would use the Town of Prescott Valley’s plan.

Council member Schumacher also asked how we are going to educate the people. We can tell people that there is a plan but they will not know how it works. Town Clerk, Diane Russell, responded that the solution to this will be to make a video that would demonstrate what to do in the event of a disaster, as well as provide contact lists. This video would be available on PV 15.

Vice-Mayor Wise made the MOTION, seconded by Council member Edwards, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign the Promulgation Letter for the updated Prescott Valley Disaster Guides and Plans, by electronic vote. MOTION carried with 7 ayes and 0 nays.

e. Consideration of approving an agreement for vending and fountain placement with Pepsi-Cola Bottling Company

Parks & Recreation Director, Brian Witty, reported that the Town has been engaged in a vending and fountain agreement with Coca-Cola for a number of years. In staff’s August 2007 review we found that the Coca-Cola agreement had been expired for a number of years (2002) and the

department had not been receiving commission from its vending sales (2004). With direction from the Town Manager the Department solicited proposals from regional agencies that would satisfy the requirement of both vending and fountain drink services. Proposals were received from Coca-Cola and Pepsi-Cola bottling companies and reviewed by staff for their completeness, ability to provide minimum required services, term of agreement, pricing structure, and the percentage of commission from sales.

Council member Schumacher made the MOTION, seconded by Council member Flannery, direct staff to present to the Town Manager for approval of the Vending and Fountain Placement Agreement with Pepsi-Cola Bottling Company, by electronic vote. MOTION carried with 7 ayes and 0 nays.

11. COMMENTS FROM THE PUBLIC

Wolfgang Mitchrich wanted to thank the council for the decision to vote against the prison.

Council member Nye expressed her appreciation for all of the people who came out to the work study to voice their opinion about the prison. She has received many thank you emails and phone calls.

Council member Flannery stated that there was a lot of emotion involved with the issue of the prison. The one thing that everyone has to remember is that just as it tugged on everyone's sleeve it also tugged on the Councils'. It was not a good fit for our community.

Vice-Mayor Wise said that the process worked and that all citizens should have faith in the process and we do try to do our best and listen to the public. He wanted to thank the youth that are present tonight to be involved and watch the process.

Council member Schumacher wants to thank everyone who took the time to email them about the prison. Even after the public votes for us, we still want to hear negative and positive feedback.

Council member Edwards also appreciated all the comments. What matters is that people need to understand that there is a lot more going into these issues than just public impact, which is very important. There is a lot of research that is completed in order to make decisions. These do not always get relayed to the public. We are not making snap decisions. He personally did approximately 32 hours of homework regarding the prison.

Mayor Skoog thanked the Mayor's Youth Advisory Council members for being present at this meeting.

12. ADJOURNMENT

Mayor Skoog asked for a motion to adjourn the meeting. MOTION was made by Vice-Mayor Wise, seconded by Council member Schumacher, to adjourn, by electronic vote. Motion carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 7:57 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, Candice McElhaney, Deputy 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 25, 2007.

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

Dated this October 31, 2007

Candice McElhaney, Deputy Town Clerk