

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING
MINUTES
September 4, 2008**

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 Kirk Anderson, Emanuel Lutheran Church, gave the Invocation after which the Pledge of Allegiance was said in unison as led by Pastor Anderson. The following council members were present for roll call:

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

5. *PROCLAMATIONS*
 - a. *Patriotism Week*

Town Clerk, Diane Russell, read the Patriotism Week proclamation. Mayor Skoog presented this proclamation to Steve Thompson, Nancy Thompson and Sari McQuality representing the Benevolent Protective Order of Elks.

- b. *Good Neighbor Day*

Town Clerk, Diane Russell, read the Good Neighbor Day proclamation. Mayor Skoog presented this proclamation to Kim Jensen, PV Florist. If people would like to participate in this event on September 17, 2008, they can contact Kim at 772-9640 and their website is located at www.goodneighborday.net. PV Florist is located on Hwy 69, just west of Robert Rd on the north side of the highway.

- c. *National Alcohol & Drug Addiction Recovery Month*

Town Clerk, Diane Russell, read the National Alcohol & Drug Addiction Recovery Month proclamation. Mayor Skoog presented this proclamation to Tracy Christiansen of West Yavapai Guidance Clinic.

6. *CERTIFICATES*

- a. *Certificate of appreciation to Kell Palguta for 10 years of service*

This item was pulled from the agenda as Kell Palguta could not be present to receive his certificate of appreciation. This item will be rescheduled for October 9, 2008.

7. *ANNOUNCEMENTS & PRESENTATIONS*

- a. *Commander Fessler Promotion Ceremony*

Chief Maxson introduced Commander Bill Fessler and gave a biography of Commander Fessler's career. Mayor Skoog administered the oath of office to Commander Fessler and presented him with the badge of Commander.

8. *RECESS*

Mayor Skoog recessed the meeting at 5:58 p.m. for refreshments following the ceremony for Commander Fessler.

9. *RECONVENE*

Mayor Skoog reconvened the meeting at 6:17 p.m.

10. *COMMENTS/COMMUNICATIONS*

- a. *Utilities Department – OMI Annual Report*

Utilities Operations Coordinator, Mark Kieren, introduced John Bowman and Juan Mancha, CH2M Hill OMI, who gave their report on the activities and accomplishments of the year.

11. *CONSENT AGENDA*

- a. *Approving Reversionary Plat (RP08-006) combining Prescott Valley Unit 16 Lots 6477, 6477A and one half of the abandoned Santa Fe alley for expansion and development of commercial property located at 8933 E. Laredo Drive, APNs #103-33-045, 103-40-038 and 103-40-38A as requested by David L. and Mary L. Burklow*
- b. *Approving Reversionary Plat (RP08-007) combining Prescott Valley Unit 4 Lots 1001, 1002 and 1026 for expansion and development of commercial property located at 8046 and 8066 E. Spouse Drive and 4600 N. Noel Drive, APNs 103-02-028, 103-02-027 and 103-02-052 respectively as requested by Jose L. and Lourdes Bautista*
- c. *Approving and awarding repair of the Cat 140G Motor Grader to Empire Cat in the amount of \$18,350.12*
- d. *Approving an Intergovernmental Agreement between the Town and HUSD to continue the School Resource Officer and D.A.R.E. Officer programs*
- e. *Approving the purchase of a KOOL BOX refrigerator/freezer unit and the applicable electrical work in the amount of \$20,139.33 to be used for evidence storage*

Vice-Mayor Schumacher made the MOTION, seconded by Council member Nye, to approve the Consent Agenda as read, by electronic vote. MOTION carried with 7 ayes and 0 nays.

12. NEW BUSINESS

a. Public Hearing

Open Public Hearing

Minor Amendment to General Plan 2020 pertaining to Open Space designations on specific parcels (GPA08-001)

Close Public Hearing

Mayor Skoog declared the public hearing open.

Planner, Ruth Mayday, said that this application was brought forward by the Community Development Department in June, 2008, on behalf of the Parks and Recreation Department and the Central Yavapai Fire District (CYFD). The purpose is a minor amendment to the General Plan to re-designate certain parcels of land to open space from their current residential and commercial land use designations.

The following areas are currently designated as Planned Area Development (PAD) 5-2 and will be changed to public/quasi-public designation: The CYFD station, located off of Hwy 169 in Parcel A, and the Quailwood Park in Parcel B. The three parcels located at the Old Town Park in Parcel C will be re-designated from community/commercial designation to open space. The Park at Granville, located in Parcel D, Viewpoint Park in Parcel E and Pronghorn Ranch Park in Parcel F are currently designated as Low Density Residential and will be re-designated as open space.

This land has been acquired through the Town mostly through plat dedications. The CYFD property was acquired through annexation. At the time, the General Plan dedications did not necessarily match the use. Many of these have been brought forward (in particular Viewpoint, Pronghorn and Granville) through the plat of dedication and development agreements provided for parks. These areas were used as parks but never specifically designated for that use. This action will be to re-designate these parcels from their various commercial and residential designations to open space.

Council member Flannery asked if this is open space or public land. The response was that it is open space. This is the General Plan designation. The public land would be the zoning designation, which underlies the General Plan amendment.

Vice-Mayor Schumacher asked if this is a housekeeping type of action to bring pieces into compliance with the General Plan. The response was affirmative.

Council member Nye asked if this would open up the areas for placement of antennae. The response was that the underlying land use zoning district for these is public lands and these are the only areas that the Town allows antennae.

There being no further comments, Mayor Skoog closed the public hearing.

b. Consideration of authorizing the Mayor to sign Resolution No. 1604 approving and adopting a Minor General Plan Amendment to the General Plan 2020 re-designating

certain parcels of land to Open Space from various residential and commercial land use designations (GPA08-001)

There were no further comments as all was discussed during the public hearing.

Council member Nye made the MOTION, seconded by Council member Wise, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1604 adopting and approving Minor General Plan Amendment 08-001, by electronic vote. MOTION carried with 7 ayes and 0 nays.

c. Public Hearing

Open Public Hearing

Minor Amendment to General Plan 2020 pertaining to the Circulation Element of the General Plan 2020 (GPA08-002)

Close Public Hearing

Mayor Skoog declared the public hearing open.

Community Development Director, Richard Parker, reported that on May 12, 2008 the Planning Commission initiated a public hearing for the purpose of considering an amendment to the Circulation Element of the *General Plan 2020* to establish access management policies and standards for the various existing and proposed arterial and collector standard roadways throughout the Town.

At its August 11, 2008 regular meeting, the Planning and Commission approved GPA08-002 as consistent with the Town's General Plan and public roadway infrastructure management policies that support access-restricted or managed roadways to maintain their traffic carrying capacities.

Roadways that are proposed to be access managed are either major arterials or collector roadways as defined within the General Plan. Initially, this includes: Fain Road – Arterial, Glassford Hill Road – Arterial, Santa Fe Loop – Arterial, portions of Lakeshore Drive – Residential and Commercial Collector, Viewpoint Drive north of State Route 89A – Arterial, Pronghorn Ranch Road east (existing) and west (proposed) of Viewpoint Drive – Arterial, Great Western Drive (proposed) north of its intersection with the Santa Fe Loop – Arterial.

The Town also has specific authorization provided to the Public Works Director in the form of Resolution 550, which enables that department to establish the management strategies, the actual access intervals that are applied to these roadways.

A neighborhood meeting was held relative to this proposed policy amendment on July 7, 2008 at the Civic Center following extensive public notification. During the neighborhood meeting there was no opposition expressed to this proposal.

There being no further comments, Mayor Skoog closed the public hearing.

d. Consideration of authorizing the Mayor to sign Resolution No. 1605 approving and adopting a Minor General Plan Amendment amending the Circulation Element of the

General Plan 2020 to establish access-restriction or management policies and standards for designated arterial and collector roadways in the Town (GPA08-002)

There were no further comments as all was discussed during the public hearing.

Council member Wise made the MOTION, seconded by Council member Baker, to authorize the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1605 adopting a Minor Amendment to the Prescott Valley *General Plan 2020* (GPA08-002), by electronic vote. MOTION carried with 7 ayes and 0 nays.

- e. Consideration of authorizing the Mayor to sign Resolution No. 1606 adopting a Final Development Plan for the Sungate Villa Senior Community, Phase II, located at 3870 N. Civic Drive (FDP08-018)*

Ruth Mayday, Planner, stated that this request is for approval of a Final Development Plan (FDP08-018) for Sungate Villa II Senior Apartment Complex located on approximately three acres at 3870 N. Civic Drive, approximately seven hundred feet north of the Civic Center, behind the existing Sungate Villa I. A Final Development Plan for Sungate Villa I (FDP 06-005) was approved February 9, 2006 by Resolution No. 1404. Villa I was comprised of the current sixty-four senior apartment units on five and one-half acres at 3850 N. Civic Drive. Sungate Villa II will comprise an additional twenty-eight one-bedroom units and twenty-six two-bedroom units, with a total building area of approximately sixty-four thousand square feet. The proposed two-story structure is similar in appearance to the existing Villa I building. Access to Phase II is proposed utilizing the same private entrance drive approved for Phase I. Central Yavapai Fire District (CYFD) has approved the number of units accessed from the single drive. Drainage to the regional basin will be provided by the channel currently being developed in the rear of the property.

The site was rezoned to the current R2-PAD designation along with a Preliminary Development Plan with the approval of Ordinance No. 680 at the February 22, 2008 Council Meeting. The Town Code does not have a separate parking standard for senior apartments. Any two bedroom apartment would require two spaces and one and one-half spaces for any one bedroom unit. Staff has examined standards from other jurisdictions and received specific data from the developer on similar projects in the area which supports a standard of one and one-half spaces average for all units. As an example, Villa I has one hundred and eighteen spaces and observations have shown no more than thirty-one cars at a time since most residents do not drive. Staff believes this reduced standard is more than adequate and has included that as part of this Plan. However, staff notes that extra land area is available on site should there ever be a need for additional parking.

Vice-Mayor Schumacher asked if this for low-income seniors. The response was yes. She also asked when the project will start and when will people begin signing up for these apartments. The response was that the plans are in and it will be approximately eleven months before availability.

Council member Baker asked about reducing the standards of the parking. The response was that they held closely to the parking standards in Phase I and it turns out they are over parked. There is not nearly the amount of cars that they thought so the parking will be available in

Phase I and Phase II. Based on the Phase I experience, they went with this parking arrangement.

Council member Baker made the MOTION, seconded by Council member Nye, to authorize the Mayor (or, in his absence, the Vice-Mayor) to sign Resolution No. 1606 adopting Final Development Plan 08-018, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- f. Consideration of approving an Amendment to the Town Engineer Agreement with Dava & Associates for the Northside CFD No. 1 design and construction services in an amount not to exceed \$491,121.00 (CIP#E280.0)*

Town Attorney, Ivan Legler, reiterated that due to the fact that he is a member of a church, which is a property owner in the area of the Northside CFD, he will not participate in any issues of this CFD. Assistant Town Attorney, Colleen Auer, has been assigned to this project.

Public Works Director, Norm Davis, stated that professional engineering services are necessary to complete engineering plans, construction estimates and construction period services for the proposed infrastructure improvements for the Northside CFD. A proposal has been received through the Town Engineer contract with Dava & Associates to perform design and construction services for NCFD No. 1 in the amount of \$491,121.00. The Town budget for fiscal year 2008/09 includes funding for NCFD No. 1 design which will be reimbursed by the property owners in the District when assessments are finalized. The construction portion of the agreement will be funded by the District.

Noteworthy is \$80,250.00 of design work already completed in this area that will be reimbursed as part of NCFD No. 1; specifically \$43,610.00 for the “Traffic Signal Design – Viewpoint & Pronghorn Ranch Parkway” design, CIP # S309, and \$36,640.00 for “Antelope Meadows Drive Extension – Coyote Springs Road Widening” design & construction services, CIP # S294.

Vice-Mayor Schumacher asked a question regarding financing. She sees that there is money being taken from one of the line items but where is the rest of the money coming from. The response was that at this time, until the bonds are actually sold, the design process must start. So a maximum price must be determined for a reimbursement. At that time, Dava and Assoc. has to provide a number for construction period services for them to monitor the construction. At the time the bonds are sold, they will reimburse for the design and then the CFD can pay in increments for the construction period services.

Vice-Mayor Schumacher made the MOTION, seconded by Council member Flannery, to approve the Amendment to the Town Engineer Agreement with Dava & Associates for design and construction services for NCFD No. 1 in the amount of \$491,121.00, by electronic vote. MOTION carried with 7 ayes and 0 nays.

- g. Consideration of approving an Amendment to the Town Engineer Agreement with Dava & Associates for the Lakeshore Drive design between Lake Valley Road and Victor Road for an amount not to exceed \$114,630.00 (CIP#S305)*

Public Works Director, Norm Davis, reported that the Streets and Infrastructure Committee Final Report & Recommendations dated June 2002 identified the three arterial/collector streets

of Robert Road, Navajo Dr. and Lakeshore Dr. as highest construction priorities for improvement. Funding for these roadway improvements is through the dedicated funding source of a 1/3 cent Transaction Privilege Tax. To date, Robert Road is improved from Highway 69 to Spouse, Navajo Dr. from Highway 69 to Superstition, and Lakeshore Dr. from Tani to Victor.

The Town Budget for this fiscal year 2008/09 has Lakeshore Dr. from Lake Valley to Victor listed as the next roadway segment for improvement. Dava & Associates has submitted a proposal for professional engineering services to provide design of the Lakeshore Dr. improvements from Lake Valley to Victor. The scope of the roadway construction improvements will include an additional eastbound and westbound lane, curb/gutter, underground storm drain, and evaluation for the need of a traffic signal at the Windsong Dr. intersection.

Council member Nye asked what is the normal length of time for a warrant study. The response was it can be done in 60 days if we engage an independent consultant. She feels that the warrant study needs to be expedited in this area. The response was that there should be a signal in there by July 1, 2009.

Ben Harper, said he feels that due to the traffic in that area, there should be at least a 4-way stop sign placed until the traffic signal can be installed. Public Works Director, Norm Davis, responded that the traffic engineering professional will take a look at that intersection. As part of the warrant study, it can be a recommendation of the consultant that a 4-way stop sign would improve the safety at that particular intersection. This does need to go through his recommendation before anything can go forward on this. He reminds council that the same measure was taken for the intersection of Pav Way and Centre Court. A 4-way stop was recommended here before a traffic signal could be funded. He imagines that the same method can be imposed here.

Council member Edwards recommends that the study be done during hockey season as people have discovered this area and this roadway is heavily used.

Council member Wise made the MOTION, seconded by Council member Baker, to approve the Amendment to the Town Engineer Agreement with Dava & Associates in the amount of \$114,630.00, by electronic vote. MOTION carried with 7 ayes and 0 nays.

13. COMMENTS FROM THE PUBLIC

Tony Terrasi – Many notices went out to property owners in the last month regarding illegal dumping on private property. After much discussion and assistance with Town staff the problem was initially resolved. However, he is not sure that there is any long-term solution to this problem. Have the police been informed that there is no dumping on any lot in a flood plain area? What is the penalty? Are they severe enough to deter people from dumping on property? What is going to happen in the future? The area he is particularly concerned about is the flood area north of Long Mesa and south of Roundup.

Town Attorney, Ivan Legler, advised that there are two provisions in Town Code. There is the anti-dumping provision and there is a no trespass provision. Both are misdemeanors under Town Code and State Statutes.

Town Manager, Larry Tarkowski, added that there is an overall plan moving forward on the east side of Robert Road that will eventually extend to the west. There will be significant signage, informing people of penalties associated with illegal dumping and trespassing. And then Community Development will be coordinating with the police department to enforce this.

Ben Harper stated that he thinks that people should be ticketed if their name is found in any of the trash that is dumped in these areas.

Council member Edwards believes that the signage is a good idea. There are two dump days in this community every year. There is no excuse for anybody to not take items to the dump day versus dumping on private property. In California the fine is posted at \$1500.00. Dumping came to a screeching halt after signage was placed in these areas.

14. ADJOURNMENT

Vice-Mayor Schumacher made the MOTION, seconded by Council member Nye, to adjourn the meeting, by electronic vote. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 7:11 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, September 4, 2008.

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

Dated this 11th day of September, 2008

Candice McElhaney, Deputy Town Clerk