

**TOWN OF PRESCOTT VALLEY  
REGULAR COUNCIL MEETING  
MINUTES  
June 24, 2010**

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

1. CALL TO ORDER REGULAR COUNCIL MEETING

Mayor Skoog called the meeting to order at 5:30 p.m.

2. INVOCATION

Pastor Charlie Hail gave the invocation after which he led the Pledge of Allegiance.

3. PLEDGE OF ALLEGIANCE

Mayor Skoog presented Pastor Hail with a Certificate of Appreciation in recognition of his support to the Town of Prescott Valley.

4. ROLL CALL

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

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

a. Yavapai County Teacher of the Year Awards

Danette Derickson (2010 Yavapai County Pre K-3 Teacher of the Year Award), Laura Goligoski (2010 Yavapai County Overall 2010 Yavapai County Teacher of the Year Award) and Xavier Magdaleno (2010 Yavapai County Cross-Grades Specialist Teacher of the Year) were each introduced and congratulated for their awards. Mayor's Recognition Awards were read about each person and presented to the recipients by Mayor Skoog.

b. Fireworks - CYFD Assistant to the Chief Cook

Assistant to the Chief, Charlie Cook said this is a bad bill that was pushed through. While the bill states you cannot regulate the purchase of fireworks locally, it does

not prohibit the regulation of use of them at the local level. Fire districts do not have any regulatory authority over this bill. The district will have to rely on cities, towns, and counties to regulate firework use if a fire ban is in effect. Fireworks are still illegal in the State of Arizona until December 1, 2010 when the bill goes into effect. The League of Arizona Cities and Towns drafted an ordinance that cities and towns could use to regulate fireworks use. Copies of the draft ordinance were distributed to council members. Supervisor Tom Thurman supported Assistance Chief Charlie Cook and stated that all communities in Yavapai County would be contacted regarding their support of this draft ordinance.

The fireworks bill was proposed to increase revenue for the state. But the meager revenue generated from the sale of fireworks will not cover the cost of a forest fire. The definition of 'legal versus not legal fireworks' is not clear therefore making it hard to determine what is legal and what is not.

c. VFW -Clyde Kincaid & Clyde Neville

Clyde Neville announced that the Lonesome Valley Playhouse will be holding a fundraiser (God Bless America) to benefit the VFW building fund to be held at the Franklin Phonetic School on July 3, 2010 at 6:00 p.m. Ms. Emma Burns came forward to sing "My Favorite Things" as an introduction of what will be seen and heard in the upcoming program at a cost of \$15.00 a seat. Clyde Kincaid, VFW, will come to speak about fundraising for the VFW to any group that contacts him. He stated that several area businesses are helping the veterans, offering discounts and donating equipment to help them get the VFW Post building built.

d. Chamber of Commerce

Karen Benson of the PV Chamber of Commerce introduced Wendy Woolley owner of Movies Music & More; Denise Hyland, Head Golf Professional of StoneRidge Golf Course celebrating 8 years and Mark Barry owner of Studio U Recordings. Each person came forward to tell a little about their business service offerings and where they are located.

7. MAYOR'S RECOGNITION AWARDS

a. Ben Hansen

Town Clerk Diane Russell read the Mayor's Recognition Award about Ben Hansen, retiring Editor of the Courier Newspaper, who came forward to accept the award presented by Mayor Skoog. Mr. Hansen expressed his appreciation to Mayor and Council for the award.

b. Tim Wiederaenders

The Mayor's Recognition Awards were read. Mr. Wiederaenders accepted the awards for himself and Karen Despain who could not make it tonight. Mr. Wiederaenders will become the new Editor of the Courier Newspaper and Ms. Despain will be the new Managing Editor.

6. CERTIFICATES

a. Certificate of appreciation to Kathy Wise for 10 years of service

Parks & Recreation Director Brian Witty commended and gently roasted Kathy Wise for her ten years of service to the Town of Prescott Valley. Mayor Skoog presented Kathy with a Plaque and a pin for her service. Kathy thanked everyone for the recognition and stated how much she looks forward to the next ten years.

b. Certificate of appreciation to Anne Pieszak for 10 years of service

Town Clerk Diane Russell read the accolades about Anne Pieszak that were submitted by Library Management after which Mayor Skoog presented her with a Plaque and pin for her ten years of service. Kathy Hellman and Ted Johnson presented her with a bouquet of flowers.

c. Certificate of appreciation to Barb Tieman for 10 years of service

Town Clerk Diane Russell read the accolades about Barbara Tieman that were submitted by Library Management after which Mayor Skoog presented her with a Plaque and pin for her ten years of service. She was presented with a bouquet of flowers and bag of candy (as the keeper of the candy dish) by Kathy Hellman and Ted Johnson.

d. Certificate of appreciation to Don Plate for 5 years of service

Town Clerk Diane Russell read the accolades about Don Plate that were submitted by the Police Department after which Mayor Skoog presented him with a Certificate and pin for his five years of service. Robin Petrovsky commended him for the excellent job he has done as an animal control officer.

8. COMMENTS/COMMUNICATIONS

Council member Nye announced that she and her family purchased a flag pole eagle topper to honor her grandson Sgt. Justin Nye who was severely injured in Iraq. The eagle will be placed on top of the national flag pole tomorrow at 10:00 a.m. by Council member Nye with the assistance of the CYFD fire ladder truck.

9. CONSENT AGENDA

- a. *Approval of Minutes - May 27, 2010*
- b. *Approving the routine destruction of records*
- c. *Approving and accepting a water and sewer easement across adjoining property of the Glassford Hill Market Place for the Maverik Store development*
- d. *Approving the FY 2010-11 Community Services Agreement with Prevent Child Abuse (PCA) in the amount of \$6,000*
- e. *Approving the FY 2010-11 Community Services Agreement with Trauma Intervention Programs, Inc. (TIP) in the amount of \$5,000*
- f. *Department Reports*

*Community Development*

- 2. *Library*
- 3. *Parks and Recreation*
- 4. *Police Department*
- 5. *Public Works*
- 6. *Town Clerk*
- 7. *Utilities*
- g. *Approval of Monthly Financial Report*
- h. *Approval of Council Investment Report*
- i. *Approving Accounts Payable for June 6 thru June 15, 2010*

Council Member Schumacher made the MOTION, seconded by Vice Mayor Anderson, to approve all items on the Consent Agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays

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

d. Consideration of appointing Suzanne Applegate to fill an existing term on the Parks and Recreation Commission with a renewal date of June 30, 2012

Council member Flannery asked that this item be moved up on the agenda which was not opposed by the Mayor and Council members. A position was vacated on the Parks & Rec Commission due to illness of the existing participant. Council members Flannery, Nye and Schumacher stated they are pleased to recommend Suzanne to the Parks and Rec Commission.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to approve Suzanne Applegate to fill an existing term with a renewal date of June 30, 2012, by electronic vote. MOTION carried with 7 ayes and 0 nays

a. Consideration of appointing Michael Whiting to the Planning & Zoning Commission to fill an existing term with a renewal date of October 31, 2012 and John Gay to fill an existing term with a renewal date of October 31, 2010

Council members Flannery, Nye and Schumacher recommended that these two existing terms be filled by Michael Whiting and John Gay. Mr. Whiting, CEO of United Way, expressed his appreciation for council's consideration of him for the position.

Council Member Flannery made the MOTION, seconded by Council Member Nye, to approve Motion to appoint Michael Whiting to fill an existing term with a renewal date of October 31, 2012 and John Gay to fill an existing term with a renewal date of October 31, 2010, by electronic vote. MOTION carried with 7 ayes and 0 nays

b. Consideration of reappointing Helen Ruddell and Suzanne Duskey to the Arts & Culture Commission for terms renewing on June 30, 2013

Council members Flannery, Nye and Schumacher recommend Helen Ruddell and Suzanne Duskey be reappointed to the Arts and Culture Commission and thanked them for their continued interest and service.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to approve the re-appointment of Helen Ruddell and Suzanne Duskey to the Arts and Culture Commission to terms with a renewal date of June 30, 2013, by electronic vote. MOTION carried with 7 ayes and 0 nays

c. Consideration of reappointing Jeff Spohn, Donald Rollins and Ron Brinkman to the Parks and Recreation Commission for terms renewing on June 30, 2013

Council members Flannery, Nye and Schumacher stated that each of these people have expressed an interest in being reappointed to the Parks & Rec Commission and were thanked for that interest in continued service. Mr. Brinkman and Mr. Rollins came forward to express how much they enjoy working on the commission and working in the parks.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to approve the re-appointment of Jeff Spohn, Donald Rollins and Ron Brinkman to the Parks and Recreation Commission to terms with a renewal date of June 30, 2013, by electronic vote. MOTION carried with 7 ayes and 0 nays

e. Consideration of reappointing Elayne Brady and Carol Popaden to the Library Board of Trustees to terms with a renewal date of June 30, 2013

Council members Flannery, Nye and Schumacher recommend the reappointment of Elayne Brady and Carol Popaden to the Library Board of Trustees. The appointees were unavailable for comment as they had prior commitments.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to approve the re-appointment of Elayne Brady and Carol Popaden to the Library Board of Trustees to terms with a renewal date of June 30, 2013, by electronic vote. MOTION carried with 7 ayes and 0 nays

f. Public Hearing Open Public Hearing Proposed Expenditure Limitation and Budget for Fiscal Year 2010-11 Close Public Hearing

Management Services Director Bill Kauppi noted this Public Hearing is the second step in the process toward adoption of the town's budget. The budget can be adopted as presented or decreased, but it cannot be increased at this point. Kauppi showed a powerpoint presentation indicating that this year's expenditure budget will be \$72,227,321. Fiscal Year 2009-2010s budget was \$93,299,533. Projected revenues for fiscal year 2010-2011 are \$57,405,261.

g. Consideration of authorizing the Mayor to sign Resolution No. 1705, adopting the Fiscal Year 2010-11 Expenditure Limitation and Budget for the Town of Prescott Valley

Council Member Nye made the MOTION, seconded by Council Member Lasker, to approve authorizing the Mayor (or, in his absence, the Vice Mayor) to sign **Resolution No. 1705**, adopting the Fiscal Year 2010-11 Final Expenditure Limitation and Budget for the Town of Prescott Valley, by electronic vote. MOTION carried with 7 ayes and 0 nays

h. Consideration of approving the Supplemental Intergovernmental Agreement for Administration of Requirements and Costs of the Big Chino Water Ranch Project

with the City of Prescott

Town Manager Larry Tarkowski stated that this supplement is a modification of the IGA signed by Prescott Valley a month and a half ago. The City of Prescott made some modifications to it then unanimously approved the supplement to the IGA this past Tuesday. Council member Flannery thanked staff for the 'bang up job' they did on this agreement. Council member Nye commented that today's newspaper article regarding the particulars of this agreement could be misinterpreted. She wants to ensure that people know that Prescott Valley staff was authorized, appropriately, to take the actions they did and she wants to reassure the citizens that the innuendos in the newspaper were not accurate.

Council Member Wise made the MOTION, seconded by Council Member Schumacher, to approve the Supplemental Intergovernmental Agreement for Administration of Requirements and Costs of the Big Chino Water Ranch Project with the City of Prescott, by electronic vote. MOTION carried with 7 ayes and 0 nays

- i. Consideration of authorizing the first reading of Ordinance No. 745 by title only on two separate occasions, and then place the same on final passage adopting a 2010 Tax Code Amendment increasing the Transaction Privilege Tax rate to 3% on "restaurants/bars," "hotel/motels" and "additional tax on transient lodging

Sarah Herzog, Sales Tax Auditor for the Town, pointed out that in the last work study session we talked about the three tax code sections this would affect and the result from those changes. They are the restaurant/bars, hotels/motels and transient lodging categories.

Council member Lasker noted that she can no longer support this additional tax since things have changed since January when this proposal was first investigated. Proposition 100 was an unknown at the time and Yavapai College has since proposed a two (2) percent property tax. If council agrees to this, it would be the third new proposed tax in five weeks. Yet requiring staff to cut more doesn't seem like a reasonable option either. This tax if enacted would only raise \$250,000. Council member Anderson noted that there has never been a recovery built on tax increases. The timing is not right, stated Council member Wise. Council member Nye stated that the only good thing about this tax is that it was a shared tax; everything that has been said is valid. We have a reserve fund that we can use. Nye stated she believes we are coming out of the recession. Council member Flannery questioned whether Prop 100 was taken into committee consideration back in January. Council member Lasker replied yes, but that they did not think it would pass. Council member Schumacher concurred with the comments made and could not vote for this to move forward.

Kauppi said the .33 percent will continue to go into the street fund. The only one that would benefit from this new tax is the town. It is also separate from the utility

tax.

Council member Flannery stated that even though the proposed tax is less than .7 percent, the yield is not worth it. Council member Schumacher agreed. Vice Mayor Anderson added that he appreciates the work Bill Kauppi and the staff put into this at Council's direction.

Council Member Lasker made the MOTION, seconded by Council Member Wise, NOT to read Ordinance No. 745, by electronic vote. The Motion carried UNANIMOUSLY.

Ordinance No. 745 was not read and therefore the proposed tax rate will not take effect.

- j. Consideration of authorizing the Mayor to sign Resolution No. 1706 approving a Building Safety checklist as it relates to the 2006 International Energy Conservation Code implementation

Richard Parker, Community Development Director, said they have the administrative authority to make these recommended changes to the International Energy Conversation Code through a Resolution. The contractors association still supports this code and other jurisdictions do also. This information is available on the internet and Community Development staff will assist homeowners as needed. Supervisor Tom Thurman added that the initial energy code has a few holes and these recommended modifications make sense for new home builders.

Council Member Wise made the MOTION, seconded by Vice Mayor Anderson, to approve authorizing the Mayor (or in his absence, the Vice Mayor) to sign **Resolution No. 1706** approving a Building-Safety checklist that allows substitutions and encourages innovation in design of residential additions and remodeling projects in conjunction with community outreach and education on implementation of the IECC, by electronic vote. MOTION carried with 7 ayes and 0 nays

- k. Consideration of approving a funding agreement with the Arizona Department of Housing accepting a \$275,000 Community Development Block Grant State Special Project Award

Deputy Town Manager Ryan Judy stated that earlier this year a CDBG grant through the Department of Housing was considered and approved by Council for submission. The town successfully received the grant to complete the 10-foot wide lit multi-use path between Robert Road and Loos Drive. The grant is for \$275,000 with no matching funds required. Requests for bids will go out soon.

Council Member Nye made the MOTION, seconded by Council Member Flannery, to approve a funding agreement with the Arizona Department of Housing,

accepting \$275,000 in Community Development Block Grant funding from the FY 2009 State Special Project funding round, by electronic vote. MOTION carried with 7 ayes and 0 nays

1. Consideration of authorizing the Mayor to sign the proposed Work Plan with the Rural Community Assistance Corporation (RCAC) for the Castle Canyon Mesa/Prescott East Sanitary Sewer District

Community Development Director Richard Parker stated that the RCAC is going to assist in determining whether the residents in the Castle Canyon Mesa/Prescott East area want to install a sewer system in that area. The RCAC is in the business of talking to people to reach consensus in potentially helping themselves. The staff of Prescott Valley is lending their professional assistance in this endeavor. Parker emphasized this is a first step. The community will determine whether they want to take this step by themselves. This will not be foisted upon them by the Town of Prescott Valley or Yavapai County. Deborah Patton, RCAC, is the person who will be talking to the residents about this. Deborah offered her service in any way possible. Supervisor Tom Thurman came forward in support of this proposal and said they are working with the USDA to possibly get as much as fifty percent of the cost of this covered through a grant which will reduce the cost to the property owner tremendously. The septic tanks in this area are not made to last this long with potential failings of septic tanks soon to happen. Some of the septic tanks may be close to 40 years old. Supervisor Thurman pointed out that this district area is the west end of the plain below Glassford Hill west of Starlight Drive and is not a part of Prescott Valley. Education and communication about the health issues of this area will take place through the RCAC. Town Manager Larry Tarkowski stated that this area was settled prior to central Prescott Valley. We are trying to discover if there is any interest at this step with no cost to the Town, County or residents.

Council Member Lasker made the MOTION, seconded by Vice Mayor Anderson, to approve authorizing the Mayor (or in his absence, the Vice Mayor) to sign the Work Plan (MOU) with RCAC, by electronic vote. MOTION carried with 7 ayes and 0 nays

11. COMMENTS FROM THE PUBLIC

Ellen Babbitt a continuing participant on numerous Town Boards and Commissions announced that she is moving to Phoenix on September 1. She was embraced by this town 12 years ago when she first arrived. Council has made her want to serve; given her opportunities to learn and grow and that is why she wanted to tell them in person. Because she is moving she will be resigning from the Library Board of Trustees. Council member Flannery stated that Ellen has done an exceptional job for the Town and thanked her for that.

12. ADJOURN REGULAR COUNCIL MEETING

Council Member Schumacher made the MOTION, seconded by Council Member Nye, to approve ADJOURNING FROM THE REGULAR COUNCIL MEETING, by electronic vote. MOTION carried with 7 ayes and 0 nays

Mayor Skoog adjourned the REGULAR COUNCIL MEETING at 8:35 p.m.

ATTEST:

APPROVED:

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Diane Russell, Town Clerk

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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, June 24, 2010.

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

Dated this 29<sup>th</sup> day of June, 2010

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Diane Russell, Town Clerk