

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING MINUTES
September 24, 2009**

*Magistrate Court/Council Chambers
Town of Prescott Valley
7501 E. Civic Circle
Prescott Valley, AZ 86314
5:30 p.m.*

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 Joseph Berna of Bethel Baptist Church gave the Invocation after which the Pledge of Allegiance was said in unison as led by Pastor Berna. Mayor Skoog presented a Certificate of Appreciation to Pastor Berna. The following Council members were present for roll call.

Harvey Skoog	Mayor
Lora Lee Nye	Vice Mayor
Richard Anderson	Council member
Mike Flannery	Council member
Patty Lasker	Council member
Fran Schumacher	Council member
Harold Wise	Council member

5. *ANNOUNCEMENTS & PROCLAMATIONS*
 - a. *United Way of Yavapai County Month*

Town Clerk Diane Russell read the Proclamation for United Way Month October 2009 which was presented by Mayor Skoog to Mike Whiting of Yavapai County United Way.

b. Mayor Skoog announced that there will be only a few more meetings being held in this Council Chambers in the Civic Center. Vice Mayor Nye asked Richard Parker to comment about the upcoming Creative Energy Fair. Parker announced that the *2nd Annual Creative Energy Fair* is being held on Saturday September 26th at Tim's Toyota Center. He also noted that there will be a *Touch a Truck* event going on outside in the TTC parking lot at the same time as the energy fair. (This announcement was made after the presentation to Robin Petrovsky)

6. *CERTIFICATES*

- a. *Certificate of appreciation to Robin Petrovsky for 20 years of service*

Comments were read by Diane Russell about Animal Control Officer Robin Petrovsky. Mayor Skoog presented a Certificate of Appreciation, a 20 year pin and gift certificate to Robin. Commander Molinaro and Chief Maxson praised Robin for her service to the Town of Prescott Valley in the Animal Control Department. Council members added their thanks to Robin and she thanked everyone as well.

7. *CONSENT AGENDA.*

- a. *Approval of Minutes – September 10, 2009*
b. *Accepting a Utility Easement from YK Commercial Realty, LLC For the Hobby Lobby located on Parcel A of the Crossroads Development*
c. *Approving an Intergovernmental Agreement with HUSD to continue the School Resource Officer and D.A.R.E. officer programs for FY 2009-2010*
d. *Approving Departmental Monthly Statistical Reports:*
Community Development
Library
Parks and Recreation
Public Works
Town Clerk
Utilities
e. *Monthly Financial Report*
f. *Council Investment Report*
g. *Approving Accounts Payable for September 4 thru 17, 2009*

Council member Schumacher made the MOTION, seconded by Vice Mayor Nye, to approve all items on the Consent Agenda, by roll call vote. MOTION carried with 7 ayes and 0 nays.

8. *UNFINISHED BUSINESS (FOR ACTION)*

- a. *Consideration of approving the second reading, by title only, and possible passage of Ordinance No. 732 amending Town Code §4-01-050 “Duties of Police Department” regarding towing regulations*

Vice Mayor Nye made the MOTION, seconded by Council member Schumacher, to approve the second reading, by title only, and passage of Ordinance No. 732 amending Town Code §4-01-050 “Duties of Police Department” regarding towing regulations by roll call vote. MOTION carried with 7 ayes and 0 nays. Town Clerk Diane Russell read Ordinance No. 732 by title only for the second reading.

- b. *Consideration of approving the second reading, by title only, and possible passage of Ordinance No. 734 amending Town Code §6-01-090 “Animal Control Fees” increasing certain animal control fees*

Council member Lasker made the MOTION, seconded by Vice Mayor Nye to approve the second reading, by title only and passage of Ordinance No. 734 amending Town Code §6-01-090 “Animal Control Fees” increasing certain animal control fees by roll call vote. MOTION

carried with 7 ayes and 0 nays. Town Clerk Diane Russell read Ordinance No. 734 by title only for the second reading.

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

a. Consideration of reappointing Cal Nigh, Richard Leithead and Eugene Bohne to the Building Board of Appeals to terms with a renewal date of September 5, 2011

Council member Flannery stated that there were three openings as of September 2009 on the Building Board of Appeals and the three appointees asked to be reappointed. Vice Mayor Nye and Council member Schumacher added their recommendations for reappointments. Eugene Bohne was in attendance and spoke to thank the council for the opportunity to serve on the Board.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to reappoint Cal Nigh, Richard Leithead and Eugene Bohne to the Building Board of Appeals to terms with a renewal date of September 5, 2011 by roll call vote. MOTION carried with 7 ayes and 0 nays.

b. Consideration of appointing Renee Ramsey to a term on the Library Board of Trustees with a renewal date of June 30, 2012

Council member Flannery stated that Joanne Storer had to step down from the Library Board of Trustees due to term limits. After several candidates were interviewed, Dr. Renee Ramsey is being recommended for appointment.

Council member Flannery made the MOTION, seconded by Council member Schumacher to appoint Renee Ramsey to a term on the Library Board of Trustees with a renewal date of June 30, 2012 by roll call vote. MOTION carried with 7 ayes and 0 nays.

c. Consideration of appointing Susan Stewart to the Arts and Culture Commission to a full term with a renewal date of June 30, 2012

Council member Flannery, Vice Mayor Nye and Council member Schumacher recommended Susan Stewart for the appointment to the Arts and Culture Commission. Council member Flannery noted that Stewart lives outside the town limits but that the Arts and Culture Commission does allow for two of its members to do so.

Council member Flannery made the MOTION, seconded by Vice Mayor Nye to appoint Stewart to the Arts and Culture Commission to a full term with a renewal date of June 30, 2012 by roll call vote. MOTION carried with 7 ayes and 0 nays.

d. Public Hearing

Consideration of revised Town water and wastewater rates, fees and service charges, and general administrative fees and charges

Mayor Skoog declared the public hearing open. Management Services Director Bill Kauppi spoke briefly to introduce the primary purpose of the proposed revision to water and waste

water rates and charges. Kauppi showed a timeline of the process necessary to make changes. He showed slides to show the rate studies with volume and number of customers. By next year the plan is to eliminate the differential between water districts in order to have all customers be billed at the same rates. Prescott Valley has lower rates than most other municipalities in Arizona.

Council member Lasker asked for the bottom line on the changes to rates, which Kauppi explained it was \$2.00 more.

Public comments:

1. Richard Imburgia wanted to know why the rates were going up when consumption is lower through conservation. Kauppi stated that fixed operating costs such as electricity continue to rise even when less water is used, so the rates have to be enough to cover costs.
2. Lisa Burgman expressed her concerns for raises in rates in tough times. Vice Mayor Nye thanked the citizens for coming to speak to the council and ensured them that their concerns were heard.

Mayor Skoog declared the public hearing closed as there were no further comments.

- e. Consideration of authorizing the Mayor to sign **Resolution No. 1665** revising and, in some cases, increasing domestic water rates, fees and service charges*

Council member Harold Wise made the MOTION, seconded by Council member Anderson, to authorize the Mayor to sign Resolution No. 1665 revising and, in some cases, increasing domestic water rates, fees and service charges by roll call vote. MOTION carried with 7 ayes and 0 nays.

- f. Consideration of authorizing the Mayor to sign **Resolution No. 1666** revising and, in some cases, increasing wastewater rates, fees and service charges*

Council member Schumacher made the MOTION, seconded by Vice Mayor Nye, to authorize the Mayor to sign Resolution No. 1666 revising and, in some cases, increasing domestic water rates, fees and service charges by roll call vote. MOTION carried with 7 ayes and 0 nays.

- g. Consideration of authorizing the Mayor to sign **Resolution No. 1667** revising and, in some cases, increasing the Town's general administrative fees and charges by eliminating credit card and debit card transaction fees and increasing the court enhancement fee*

Town Manager Larry Tarkowski explained that the court enhancement fee was changed as mandated by the state.

Council member Schumacher made the MOTION, seconded by Vice Mayor Nye to authorize the Mayor to sign Resolution No. 1667 revising and, in some cases, increasing the Town's general administrative fees and charges by eliminating credit card and debit card transaction fees and increasing the court enhancement fee, by roll call vote. MOTION carried with 7 ayes and 0 nays.

- h. Consideration of authorizing the Mayor to sign **Resolution No. 1669** adopting the first amendment to the IGA creating CYMPO in order to allow the Town of Dewey-Humboldt to become a participating agency*

Central Yavapai Metropolitan Planning Organization (CYMPO) administrator, Jodi Rooney, explained that the amendment to the intergovernmental agreement is necessary to bring the Town of Dewey-Humboldt into the CYMPO organization. The Dewey-Humboldt Town Council met and agreed to ask to join CYMPO. Council members commented in favor of the agreement. Rooney commented further to express her appreciation of the cooperation of the Town of Prescott Valley.

Council member Flannery made the MOTION, seconded by Vice Mayor Nye, to authorize the Mayor to sign Resolution No. 1669 adopting the first amendment to the IGA which created CYMPO in order to allow the Town of Dewey-Humboldt to become a participating agency, by roll call vote. MOTION carried with 7 ayes and 0 nays.

- i. Consideration of authorizing the Mayor to sign **Ordinance No. 737**, an emergency measure, annexing two acres located in T.14 N., R.1 E., Section 34 of the G&SRM at the request of Polland Family Trust ,AND to sign any agreement under Proposition 207 (ANX09-001)*

Community Development Director Richard Parker explained that the annexation of the Polland property was originally left off (due to state law) when the surrounding parcels were annexed into the Town of Prescott Valley. This proposed annexation has been to public hearing and no other opposition has been made. The Planning and Zoning commission has recommended the proposed annexation.

Council member Lasker made the MOTION, seconded by Council member Flannery, to authorize the Mayor to sign Ordinance No. 737, an emergency measure, annexing two acres located in T.14 N., R.1 E., Section 34 of the G&SRM at the request of Polland Family Trust AND to sign any agreement under Proposition 207 (ANX09-001) by roll call vote. MOTION carried with 7 ayes and 0 nays.

Town Clerk Diane Russell read Ordinance No. 737 as an emergency measure by title only.

Mayor Skoog asked "Shall the Ordinance pass? Roll was called and the Ordinance passed with 7 ayes and 0 nays.

10. COMMENTS FROM THE PUBLIC

- a. Richard Imburgia made a suggestion that the Town put out a stimulus package to eliminate the tax on food to help people in tough times.
- b. Chris Kuknyo of Patriot Disposal spoke about all the customers that have moved away because of job loss. Competition is very fierce for the jobs that are available and he is working with PVEDF and the Chamber of Commerce to help keep Prescott Valley the place where opportunity lives.

11. *MOTION TO CONVENE INTO EXECUTIVE SESSION (PER A.R.S. 38-431.03(A)(1) & (3) in order to discuss or consider the following:*
A) *Town Attorney's Annual Review*
B) *Tim's Toyota Center*

Vice Mayor Nye made the MOTION, seconded by Council member to convene into Executive Session, by roll call vote. MOTION carried with 7 ayes and 0 nays.

12. *[Recess into Executive Session]*

Council recessed into Executive Session at 6:55 p.m.

13. *[Reconvene into Regular Session]*

Council reconvened into regular session at 7:20 p.m. with all members present.

14. ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEM (PART (a))

Council member Schumacher made the MOTION to award Town Attorney Ivan Legler an *Exceeds Expectations* rating on his annual review and to honor his wishes to accept a five (5) percent decrease in salary due to the economic downturn. The MOTION was seconded by Council member Flannery and passed UNANIMOUSLY by roll call vote.

15. COUNCIL RECESSED IN EXECUTIVE SESSION (PART (b))

Council recessed at 7:22 p.m. to move to Room 406 for a video conference regarding part (b) of the Executive Session - Tim's Toyota Center

16. *[Reconvene into Regular Session]*

Council reconvened into Regular Session at 8:43 p.m.

17. ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEM (b)

No action was taken.

18. *ADJOURNMENT*

Mayor Skoog adjourned the meeting at 8:45 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, June Catanzarite, Town Clerk Department 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 24, 2009.

I further certify that the meeting was duly called and held and that a quorum was present.
Dated this October 1, 2009

June Catanzarite, Town Clerk Department