

**TOWN OF PRESCOTT VALLEY
REGULAR COUNCIL MEETING MINUTES
JULY 9, 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. Reverend Julia McKenna Johnson, Each One Reach One/Aloha Ministries, gave the Invocation after which the Pledge of Allegiance was said in unison. The following Council members were present for roll call.

<i>Harvey Skoog</i>	<i>Mayor</i>
<i>Richard Anderson</i>	<i>Council member</i>
<i>Mike Flannery</i>	<i>Council member</i>
<i>Patty Lasker</i>	<i>Council member</i>
<i>Fran Schumacher</i>	<i>Council member</i>
<i>Harold Wise</i>	<i>Council member</i>

Absent: Lora Lee Nye Vice Mayor

5. *PROCLAMATION*
 - a. *Recreation and Parks Month*

Town Clerk Diane Russell read the proclamation which was presented by Mayor Skoog to Parks & Recreation Director Brian Witty. Witty thanked the Council and volunteers for all the support they have lended to the department over the years especially over the last year.

6. *CERTIFICATES*
 - a. *Certificate of appreciation to Officer J.P. Dunn for 10 years of service*

Town Clerk Diane Russell read the acclamations about Officer Paul Dunn submitted by the Police Department after which Mayor Skoog presented Officer Dunn with a plaque and 10 year service pin. Chief Jim Maxson and Sgt. Brandon Bonney extolled the virtues observed over Officer Dunn's career with the PV Police Department. Officer Dunn expressed his appreciation to the Town and Department.

7. COMMENTS/COMMUNICATIONS

Mayor Skoog announced the Arizona Law Enforcement Canine Association demonstration next week being held at Tim's Toyota Center on Tuesday, July 14, 2009 from 5:00 until 7:00 p.m. Everyone is encouraged to attend this free demonstration to see the canines and their handlers in action.

8. CONSENT AGENDA.

- a. *Approval of Minutes – June 11 & June 25, 2009*
- b. *Liquor Licenses & Permits*
Approving a new Series 12 (Restaurant) Liquor License for Casa Cardenas, located at 8176 E. State Route 69; Theresa J. Morse, applicant
- c. *Authorizing the Mayor to sign a Consent to the Partial Assignment and a Consent to Assignment of the Collateral Assignment in accordance with Section 16 of the Development Agreement (Prescott Valley Crossroads - Chase Bank Lease)*
- d. *Approving a new Consulting Services Agreement with IK Consulting for FY 2009-10 as submitted*
- e. *Approving Accounts Payable for June 19 thru July 2, 2009*

Council member Schumacher made the MOTION, seconded by Council member Flannery, to approve all items on the Consent Agenda, by electronic vote. MOTION carried with 6 ayes and 0 nays.

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

- a. *Consideration of appointing Ron Brinkman to fill an existing term on the Parks and Recreation Commission with a renewal date of June 30, 2010*

Council members Flannery, Schumacher, Baker and Vice Mayor Nye reviewed the applications submitted for the opening on the Parks and Recreation Commission vacated by the resignation of David Skopek in December. After consideration of the three applications and interviews, they are recommending that Ron Brinkman be appointed to complete the existing term. Council member Schumacher stated how fortunate the Town is to have such qualified applicants interested in serving on the Boards and Commissions.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to appoint Ron Brinkman to fill an existing term with a renewal date of June 30, 2010 on the Parks and Recreation Commission, by electronic vote. MOTION carried with 6 ayes and 0 nays. Mr. Brinkman thanked the Mayor and Council for the appointment.

- b. *Consideration of re-appointing Buzz Gummer to the Parks and Recreation Commission to a term with a renewal date of June 30, 2012*

Council member Flannery stated that on June 30, 2009 two terms became available (due to expiration of the terms) on the Parks and Recreation Commission. Council member Flannery, Schumacher and Vice Mayor Nye are recommending the reappointment of Mr. Gummer to another term. Mr. Gummer has been on the Commission for 12 years through 5 different Parks and Recreation Directors. He brings a lot of experience and knowledge to the commission.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to reappoint Mr. Buzz Gummer to the Parks and Recreation Commission for a term with a renewal date of June 30, 2012, by electronic vote. MOTION carried with 6 ayes and 0 nays.

- c. Consideration of authorizing the Mayor to sign the Restated and Amended Lease Agreement with the Central Arizona Senior Association (CASA) for the lease of the Prescott Valley Senior Center located at 9360 E. Manzanita Circle*

Council member Wise declared a conflict of interest and excused himself from the proceedings.

Deputy Town Manager Ryan Judy stated that the Town has had a good relationship with CASA for a number of years and have leased the current facility to CASA since 2001. A number of changes are reflected in the document as NACOG revoked the contract with Yavapai Senior Nutrition and CASA subsequently picked that up. CASA will now have the right to use the kitchen facilities to operate the nutrition program. Other minor housekeeping changes have been made on the document to clean it up.

Betty Robinson addressed Council member Flannery's question of how the Meals on Wheels program would affect CASA's insurance. Robinson said that the volunteer driver's insurance is considered primary, with CASA's insurance as the secondary. Surprisingly enough CASA's insurance premium did not increase due to the drivers. On another note, Robinson stated that over 270 people showed up for CASA's Grand Re-opening last week and she expressed appreciation for everyone's hard work to make it such a successful event. Judy thanked the Public Works and Parks and Recreation Departments for all the hours they put in freshening up the building with new paint etc.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to authorize the Mayor to sign the Restated and Amended Lease Agreement with CASA, by electronic vote. MOTION carried with 5 ayes, 1 abstention and 0 nays.

Council member Wise returned to the meeting.

- d. Consideration of authorizing the Mayor to sign **Resolution No. 1654** approving and adopting the recommendations of the Parks and Recreation Commission's Facility Use Fee Schedule for FY 2009-10*

Parks and Recreation Director Brian Witty stated that the Parks and Recreation Commission completed its appraisal of the facility use fee schedule which has not been reviewed since 2003. The proposed recommendations put forth would not take affect until the fall period, if approved. Current rate structures would be not affected i.e. Mountain Valley Splash Pool or anything that is concurrently operating at this point and time (considered this operating season).

Fee changes will be phased in over time based on the market analysis for provision of the same services in other municipalities. The last rate increase was prior to 2003.

Council member Wise made the MOTION, seconded by Council member Anderson, to authorize the Mayor to sign Resolution No. 1654 approving the recommendations of the Parks and

Recreation Commission Facility Use Fee Schedule for Fiscal Year 2009 – 2010, by electronic vote. MOTION carried with 6 ayes and 0 nays.

- e. Consideration of authorizing the Mayor to sign **Resolution No. 1655** approving a Conditional Use Permit for the Public Safety Communications Facilities atop Glassford Hill (CUP09-001)*

Community Development Director Richard Parker pointed out that this is only the second time the Council has been asked to consider a Legislative Use Permit. Upon the recommendation of the Planning and Zoning Commission, council is being asked to consider a Legislative Use Permit to authorize the placement of a public safety communication facility atop Glassford Hill. The property is located approximately one-eighth (1/8) mile east of the Prescott Valley Corporate boundaries immediately east of existing tower facilities near the summit of Glassford Hill.

On February 9, 2009, the Planning and Zoning Commission considered and later recommended approval of a modification of the Town's telecommunications plan that is adopted as part of the *General Plan 2020*. This modification authorizes the placement of public safety communications facilities on Glassford Hill as they are considered to be essential to public welfare in the Town of Prescott Valley and the region. The Commission's recommendation was approved by the Town Council on March 12, 2009, by adoption of Resolution No. 1634.

On April 13, 2009, the Planning and Zoning Commission initiated a hearing for the purpose of considering a Legislative or Conditional Use Permit to authorize the placement of a public safety communications facility atop Glassford Hill. This action is promulgated by Article 13-21-110 Use Permits of the Town Code that sets forth the process by which a Legislative Use Permit is reviewed by placement of wireless communications facilities within Zoning Districts other than the Public Land Use District.

The Planning and Zoning Commission, PD personnel and technicians conducted a field visit to view the site location and aspects of the site development on June 1, 2009.

Recently, the State Land Department approved a long-term lease and access agreement to enable the use of an approximately one (1) acre parcel near the summit of Glassford Hill for the proposed communications facility. The targeted site adjoins two (2) existing lease areas that currently accommodate two (2) separate communications facilities with multiple towers ranging in height up to one hundred (100) feet. The proposed tower facility resides approximately midpoint in elevation and geographically between the two (2) existing facilities. The lease boundary is identified on a topographic illustration, attached to this briefing, that also identifies a development area on which approximately a ten foot by twelve foot (10' x 12'), single level structure will be erected for storing the communications facility, as well as an approximate one hundred (100) foot tall (not to exceed 100 foot) lattice tower structure that will also be placed on site.

Placement of this communications facility is supported by all public safety agencies within the region and is an integral part of the regional public safety communications plan. Additionally, placement of this facility is consistent with recommendations of the telecommunications plan.

The Planning and Zoning Commission, while keeping in mind the concern for view shed and impact, reviewed this request during their regular meeting on June 8, 2009 and voted unanimously to forward the item to the Town Council with a recommendation for approval. This will facilitate communications for PVPD and will also benefit CYFD and other public safety groups in the future. It will also facilitate communications with the Verde Valley area eliminating the dead spots now experienced throughout the region.

Chief Maxson stated this tower gives the PD the ability to transmit from it down to the other towers working in combination with it resulting in the elimination of dead spots. Other public entities are planned for use of the tower in the future. The tower will be self contained and solar powered with access via an existing roadway.

As an exception of the rule, this Use Permit will be tied directly to the site plan giving the Council, and only the Council, the authority to rule on any further development or not. The State Land Department moved this very quickly through the process due to the value of it.

Council member Anderson made the MOTION, seconded by Council member Wise, to authorize the Mayor to sign Resolution No. 1655 approving a Conditional Use Permit as submitted, by electronic vote. MOTION carried with 6 ayes and 0 nays. (CUP09-001)

- f. Consideration of authorizing the Mayor to sign **Resolution No. 1656** approving Final Development Plan 09-003 for JPM Chase Bank, AND to sign any agreement under Proposition 207*

Planner Ruth Mayday stated this is a request by Architekton, Agent for JPM Chase Bank, for the approval of a Final Development Plan for a parcel of land located at the southwest corner of Sundog Ranch Road and State Route 69, within the Prescott Valley Crossroads development. Preliminary work has begun on the site and Council has approved the lease of this land to Chase Bank in an earlier action.

The plan as submitted governs the development of a 4,214 square foot building Chase Bank on approximately nine-tenths (.86) of an acre. The proposed project is a Use by Right within the PM-PAD (Performance Manufacturing, Planned Area Development) zoning classification. The plan sets forth compliance with required site development standards, including but not limited to landscaping, parking, and lighting. Signage is also included as a part of this submittal and will be made a part of the Final Development Plan upon approval by Town Council.

The Chase Bank project is in substantial conformance with all zoning and land use requirements, and the signage requested meets the standards set forth in the previously approved Comprehensive Sign Package for the Prescott Valley Crossroads development.

Council member Flannery made the MOTION, seconded by Council member Schumacher, to authorize the Mayor to sign Resolution No. 1656 approving a Final Development Plan for JPM Chase Bank and to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 6 ayes and 0 nays. (FDP09-003)

- g. Consideration of authorizing the Mayor to sign **Resolution No. 1657** acknowledging the bids received for the Owner Occupied Housing Rehabilitation program*

Planner Ruth Mayday stated that the Community Development Department is administering the Owner Occupied Housing Rehabilitation (OOHR) program, previously managed by NACOG. This program is funded by the US Department of Housing and Urban Development (HUD) through the Arizona Department of Housing (ADOH). HUD requires that agencies and municipalities managing the OOHR follow their individual procurement processes in soliciting services for the program.

As a result, the Community Development Department issued an Invitation to Bid for the first four (4) projects. The Invitation was published on Sunday, June 7th and Sunday, June 14th, 2009 in the Daily Courier. A pre-bid meeting was held on June 18, 2009 and the bid opening was held on June 25, 2009. Each project received four (4) bids.

In its role as manager of the OOHR program, the Town serves as a conduit for funding and project management. It is not a party to any contract; in fact, it is specifically excluded from any contractual obligation. The contract for services is between the homeowner and the contractor he/she selects. Because the Town is required to follow its procurement policy, an acknowledgement of the low bids is necessary. Mayday met with all the property owners who have accepted the low bids and the project is ready to move forward.

Council member Schumacher made the MOTION, seconded by Council member Flannery, to authorize the Mayor to sign Resolution No. 1657 acknowledging the bids received for the Owner Occupied Housing Rehabilitation program, by electronic vote. MOTION carried with 6 ayes and 0 nays.

10. COMMENTS FROM THE PUBLIC

Scott Helfinstine representing the Prescott Valley Economic Development Foundation (PVEDF) expressed the Foundation's appreciation for Council's ongoing financial support and political will to support economic development. Helfinstine acknowledged that due to the economic climate, attracting new jobs to Prescott Valley is becoming more and more difficult.

11. ADJOURNMENT

Council member Wise made the MOTION, seconded by Council member Anderson, to adjourn the meeting, by electronic vote. MOTION carried with 6 ayes and 0 nays. Mayor Skoog adjourned the meeting at 6:29 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, July 9, 2009. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this July 10, 2009.

Diane Russell, Town Clerk