



TOWN COUNCIL
REGULAR MEETING

Council Chambers/Library Auditorium 7401 E. Skoog Blvd. Prescott Valley, Arizona 86314, at 5:30 p.m.

MEETING MINUTES

November 10, 2022

1. CALL TO ORDER AND ROLL CALL

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

Present:

Kell Palguta, Mayor

Lori Hunt, Vice Mayor

April Hepperle, Council Member

Brenda Dickinson, Council Member

Roger Kinsinger, Council Member

Kendall Schumacher, Council Member

Don Packard, Council Member

Absent: NONE

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Pastor Kendra Hobson from St. Luke Ebony Christian Church who then led in the recitation of the pledge of allegiance.

3. CERTIFICATES/SERVICE AWARDS

- 3a. Staff Service Award, Tim Yogerst, Animal Control Officer Supervisor – 5 years [PD Lt. Jason Kaufman]**

ACO Tim Yogerst began his career with the town in 2017 where he learned the role quickly and performed brilliantly. Tim Yogerst has been described by some as an animal whisperer. During his tenure, Tim has successfully caught horses, dogs, cats, chickens, and goats (at-large) that many

other animal control officers have been unsuccessful in catching. Recently, Tim successfully retrieved injured owls, hawks, and other unusual animals and got them medical care before releasing them back into nature. Ultimately, Tim has identified problem-solving techniques for animal issues within our community and has done great work. He was promoted to Animal Control Officer Supervisor in 2020 and has been doing an excellent job in his position as a supervisor. He is extremely responsive to the needs of our community and the police department personnel.

4. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

Mayor Palguta moved the order of the agenda items under announcement and presentations as follows:

4c. Healing Field Essay Winners [Communications Manager, Heidi Foster]

Communications Manager Heidi Foster mentioned that every year, students are invited to write an essay on the Healing Field where a panel of judges select the top three winners. This year's theme was, "What does bravery mean to you?" She wanted to recognize four amazing students who did an outstanding job on their essays. They received a cash prize and were recognized for having participated in this contest.

[Mayor Palguta added the Citizens Academy Graduates recognition presented by Deputy Town Manager Ryan Judy.]

The Prescott Valley Citizen's Academy is a program that provides citizens with an in-depth look at municipal government. The academy met this Fall on Wednesday evenings from 5:45 to 7:30 p.m. from Sept 7 through Nov 9, 2022. Each of the Academy's interactive sessions were led by representatives from 11 Town departments and four public agencies. The Prescott Valley Citizen's Academy provides a unique opportunity for citizens, city staff, and elected officials to interact. Deputy Town Manager Ryan Judy explained that citizens had an opportunity to learn about the function of local government. Mayor Palguta, Town Manager Gilbert Davidson, and Deputy Town Manager Ryan Judy presented the certificates to the attendees.

4a. Mayor's Recognition Award to Justin Berry

Council member Kinsinger took the opportunity to recognize all the Veterans in the audience in observation of Veteran's Day. The Mayor's recognition award was presented to Justin Berry for having earned his Eagle Scout Award. Justin is a Bradshaw Mountain High School Junior and a member of the Boy Scouts. The Eagle Scout Award is the highest designation awarded to someone who can complete a project that benefits the community. His project was to install six flag poles at the American Legion Park. Each flagpole displays each branch of the military, which he then called "Flags of Gratitude." Justin raised \$9,500 to accomplish this project. Town Council and the community recognized his efforts on this project.

4b. Chamber of Commerce [Katey Swann, Membership Services Manager]

Membership Services Katey Swann introduced Chris Einwalter with Edward Jones Investments. Chris appreciated the opportunity to introduce himself and mentioned his office is located by the Fry's parking lot on Glassford Hill road and Florentine which has been open to the public since May. Chris enjoys helping people achieve their financial goals and offers a variety of services such as investments, retirement, savings, or education. For more information he can be reached at (928)772-5474.

5. CALL TO THE PUBLIC

Public Comment #1: Resident Steve Caros said, “I would like to begin by calling your attention to the United States Constitution. In the First Amendment, our inalienable right to freedom of speech and to petition the government for redress of grievances is unquestionably established. In this week's town newsletter, specifically the mayor's message, along with two guest articles in the Tribune, multiple postings on the internet (including under assumed names) and an abusive use of the town's email lists, including an e-mail exchange with a P&Z Commissioner; Mayor Palguta verbally attacks citizens of Prescott Valley for exercising our constitutional rights. Added to these are the mayor's verbal attacks on speakers during Council public comments which have initiated at least one defamation lawsuit against him and the town that I'm aware of. Quoted in his article, “anger and negativity spreaders who know no other way to interact” are identified as 1/10 of 1% of the people. Not only are these statements highly offensive, but his math is way off. There was a total of 15,327 ballots cast in the August town primary. However, only 12,142 chose to vote for a mayoral candidate. Now, Palguta received 11,802 votes and 340 voted for write-ins although there were no official write-in candidates. About 3,185 people declined to vote at all for mayor or in this uncontested race; add the write-in votes to those refusals and we get 3,525 people who chose to vote against Palguta in one way or another as a clear indicator that they knew quite well how to interact and express our anger. That is 30% of the people who voted which is a significant percentage of unhappy people seeking to redress our grievances. It is time for the mayor to seize his personal and offensive attacks on the people of Prescott Valley. How many more of our tax dollars will be lost to this behavior such as the \$210,000 that were lost to our former Police Chief. I'm calling on this Council, as well as town attorney Legler, to reel in this unprofessional and counterproductive behavior for the betterment of our community. We the People of Prescott Valley will never surrender our God given constitutional rights to this Council. Thank you.”

Public comment #2: Resident Jonathan Carty said, “What I will talk about today does directly affect the town. Our planet is currently undergoing a massive benevolent liberation process, as it has been prophesied by several ancient cultures and civilizations, a time of great strife and the birth of a golden age (a transition to the Age of Aquarius). The moment of this breakthrough is called The Event and reliable intel is being released to help people prepare for this wonderful time at 2012portal.blogspot.com There's nothing to fear and there is much to look forward to such as advanced technology, free energy, healing technology. All these amazing inventions will be released simultaneously. They have been hidden from us and paid for by the taxpayers, which we know about thanks to brave high-level whistleblowers, such as those of the 2001 Disclosure Project in Washington DC. Part of this operation will include mass arrests of worldwide criminals simultaneously. This will also include the network of evil families known as the Black Nobility Families; the core of this network being the Massimo or Maximus crime family who trace their bloodline all the way back to ancient Rome. I had the honor of meeting Laura Eisenhower, the granddaughter of President Eisenhower, at a gathering for people who are interested in these subjects, which she is very interested in. We can also look forward to benevolent first contact with our star brothers and sisters of the Galactic Confederation, especially the Pleiadeans, which are very real and have been in the mainstream media and are helping to prevent the destruction of this beautiful planet. They will assist our transition into an amazing, prosperous and healed collective. Despite appearances, our future is going to be more amazing and exciting than we can possibly imagine. Thank you so much for your time.”

Public comment #3: Resident Tom Chase said, “I'll start with the road update. They started from Sunset (south) to Hwy 69 grinding up the asphalt. They were tearing out the medium and all the

curbs on that end down there. There are interesting detours that are involved, and Prescott East Highway residents gets to share the wealth with everybody else around there since cars are bombing up and down their streets. I was out a couple of times today and got to see it myself. The project has slowed it down a little bit, but not a great deal on our side of the street. I'd like to talk about trees on the very south end of the Prescott East highway project going into Sunset that are in front of my house; most of them it's overkill on what they want to take out there. If we ever get Jasper, it is supposed to slow down the traffic on my street. Right now, cars only backup three to four cars to turn left. There's been talk about taking out another seven more trees that go past my house to the north and to the middle of my neighbor's house. Trees are what makes us a residential neighborhood. I know the project will improve, but it will not improve without trees. It does not look good right now. Council meeting after Council meeting, I hear you guys very interested in the landscape and walls to keep noise levels down. I understand a few of them have to go for the roundabout, but those trees are not hurting anything.

6. COUNCIL COMMUNICATIONS: SUMMARY OF CURRENT EVENTS

Vice Mayor Hunt attended a choir concert at the Main Street Theater for the Alive After Five event hosted by the Chamber of Commerce. The Prescott Valley choir was created through a very generous donation from the Jenkins Trust who named the town beneficiary of \$500,000 many years ago. She thanked Ryan Judy for all the work done in finding a way to be able to use the trust funds. Vice Mayor Hunt enjoyed listening to Christmas carols. They will also be doing a performance this Friday and Saturday starting at 7:00 p.m. for only \$10. The theatre also plans on hosting Scrooge the musical this holiday season starting December 4, and then from 9 - 11, and 16 - 18 for only \$25. Please join this fun event. On another note, she gave a big shout out to the Humboldt Unified Elementary School District for everything they are doing with the schools, kids, and the community. Lastly, she encouraged citizens to donate pantry items for the brand-new culinary arts lab at Glassford Hill Middle School. Teachers are in need of pantry staples such as sugar, flour, cinnamon, etc.

Council member Hepperle mentioned she missed the work study last week due to a NACOG quarterly meeting in Page, AZ. She enjoys being part of that committee and getting together with other mayors and council members throughout the northern part of the state since everybody has different experiences and challenges. For instance, when you think of Page, AZ you think of Lake Powell but despite being a tourist spot, it only has a population of about 7,000 residents and there is a lot of challenges that go with that. Similarly, she attended a First Things First of Yavapai Regional Partnership Council meeting which they ended up approving their final budget. First Things First is a state agency funded by the nicotine tax which funds programs for children birth to age five. The agency has recently experienced tax cuts partially because people are smoking less, which is a great thing or partially because they are vaping more. Therefore, it was a rough meeting trying to picture what the budget would look like in four years and how they are going to continue funding for these programs in the region. Lastly, she announced that the Upper Verde River Watershed Protection coalition received over \$3 million in federal grants just this year and is looking just as good moving into the future. The coalition is made up of local governments that are in the watershed. They are having a strategic planning work study meeting in December.

Council member Brenda Dickinson mentioned she also attended the NACOG meeting via zoom. If there is any need in the community, feel free to reach out to either Council member Hepperle or her. Moreover, she congratulated Jen Green, owner of Jen's Café, for receiving an award and certificate of commendation for proudly flying the American flag outside her restaurant every day. The award was given by Chaplain David Moore of general US grant camp, sons of union veterans of the Civil War. Along with having recognized the military this evening, the American Legion Post 108 and the VFW 10227 set up a display of flags along Highway 69 to further support veterans. The American

Legion Post 108 displayed the flags on the southside of the street while the VFW 10227 took over the north side. For a \$25 donation, you can get an engraved nameplate with the veteran name of your choice and service information to be added to one of the flags on display. Lastly, she recognized Council member Don Packard and Council member Roger Kinsinger for having served in the Vietnam War.

7. MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Town Manager Davidson received a letter from a resident highlighting the incredible service given by Public Works Manager Jason Garver for having helped an elderly lady struggling to change a flat tire. The resident was very touched by his actions that decided to send him a gift card. He wrote a letter back returning the gift card and stating that that is what we do here in the Town of Prescott Valley. The core values reflected from this action are those of integrity and service excellence. Town Manager Davidson, on behalf of the Prescott Valley team, recognized Jason Garver for his service to the town.

On another note, Davidson invited the public to the Winter Spectacular on Saturday December 3, 2022, from 2 p.m. to 8 p.m. There will be the traditional light parade and a brand new 40 ft. tall Christmas tree along with a whole host of family fun activities, all free of charge.

8. CONSENT AGENDA

- 8a.** Regular Town Council Meeting Minutes of October 13, 2022 - Consideration & Possible Action (Approve) [Fatima Fernandez, Town Clerk]
- 8b.** Regular Town Council Meeting Minutes of October 27, 2022 - Consideration & Possible Action (Approve) [Fatima Fernandez, Town Clerk]
- 8c.** Reappointment of Guy Brown to the Municipal Property Corporation Board- Consideration and Possible Action (Approve) [Town Council].
- 8d.** Routine Destruction of Records per State-Approved Retention Schedule (Approve) [Fatima Fernandez, Town Clerk]

Vice Mayor Lori Hunt made the MOTION, seconded by Council Member Roger Kinsinger to approve all items listed under consent agenda by electronic vote. Council Members voted as follows: Mayor Kell Palguta YES, Vice Mayor Lori Hunt YES, Council Members Don Packard YES, Kendall Schumacher YES, April Hepperle YES, Brenda Dickinson YES and Roger Kinsinger YES. NAYS: none. MOTION Passed with 7 ayes, 0 nays, 0 absent.

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

- 9a.** Proposed Annexation ANX22-001 Fain Land & Cattle - Public Hearing (No Action Required) [Ernest Rubi, Development Services Deputy Director]

Mayor Palguta opened the public hearing. Deputy Director Ernest Rubi said that town staff has begun the statutory process to potentially annex approximately 19.9 acres lying in Section 10 located at the intersection of Glassford Hill Rd, Long Look Dr. and Lone Cactus Dr. The County zoning is RCU-2A (Residential; Single Family; Rural) and the property would be annexed with the same zoning. This property is being considered for development of the Quad City Church on the southern 8 acres,

the northern parcel has development potential, and an approximately .5-acre Town existing well site. The site can be served by Prescott Valley water and sewer and other public utilities. A blank petition was filed with the Yavapai County Recorder's Office on October 14, 2022, starting the necessary 30-day waiting period per ARS §9-471(A)(3). The next step would be to collect signatures in the required time frame. If successful, an ordinance annexing the property would be then prepared for Council's consideration.

Mayor Palguta stated that the applicant wishes to bring the property into Prescott Valley with the same zoning that it currently has. Deputy Ruby answered that is correct.

Council member Hepperle asked if this was Fain land? Deputy Ruby answered that it is. She then asked about the recorded documents or tax bills for this property since she could not find that information on GIS. Deputy Ruby answered that the land lacks development and that is why the annexation is moving forward. Upon annexation, the Quad City Church may occupy the lower eight acres, while the northern acres would be open for development. If anything is desired to go on to the northern section of the property, it will have to be presented as a zoning map change. Council member Hepperle also asked if the Fain's intended to lease the land to Quad City Church or will they be looking into selling it? Deputy Ruby is not clear of that at this point other than there's been negotiations to build the church there.

There were no comments from the public. Mayor Palguta closed the public hearing.

9b. Starlight Drive Pedestrian & Drainage Improvement Project (CIP# ST2307) - Consideration and Possible Action (Award) [Ron Pine – Deputy Public Works Director]

Interim Public Works Director Ron Pine mentioned that on October 24, the town received a total of four bids for the construction services of the Starlight Drive Pedestrian & Drainage Improvement Project. Now that the design is complete, it is proposed that the Town Council consider awarding the bid to the lowest responsive bidder which ended up being Earth Resources Corporation in the amount of \$1,496,304. Since the bid amount exceeds the original budgeted amount of \$1,180,499.40, funds from the Viewpoint Drive Phase I project will be used to subsidize this project from the HURF capital improvement account. Pine mentioned he is not surprised the bids came higher than anticipated since there are challenges in the construction market right now with delays of materials, transportation issues, and labor shortages. The proposed project aligns with the Town's strategic goals.

Mayor Palguta mentioned this is a great project for the community in this area, especially for the kids that walk up and down Starlight to get to school. The sidewalk will improve the flow of traffic and the safety of pedestrians.

Vice Mayor Lori Hunt made the MOTION, seconded by Council Member Brenda Dickinson to award (and approve a contract with) Earth Resources Corporation for construction services for the Starlight Drive Pedestrian & Drainage Improvement Project in the amount of \$1,496,304 by electronic vote. Council Members voted as follows: Mayor Kell Palguta YES, Vice Mayor Lori Hunt YES, Council Members Don Packard YES, Kendall Schumacher YES, April Hepperle YES, Brenda Dickinson YES, and Roger Kinsinger YES. NAYS: none. MOTION Passed with 7 ayes, 0 nays, 0 absent.

9c. Benefits Consultant Agreement - Consideration & Possible Action (Approve) [Teri Traaen, Human Resources Director]

Town Manager Gilbert Davidson explained that this item is a budgeted item that could have been processed through staff authorization, however, he felt it was important to bring this before council to highlight the new changes. Historically, the town has worked with a consultant to provide general benefits for town employees. Staff decided that it was time to enter a more competitive process and opened it up based on qualifications. There were several qualified benefit consultant firms that submitted their bid. Ultimately, after interviewing those agencies, the town identified the top firm which is CBIZ. This company will assist HR staff with employee benefit plans, negotiation with insurance providers, health and wellness programs, enhancing programs for employees, pharmacy benefit and management and overall communication and education. The total contract amount for the five years is \$353,781.22 however the cost for the first year will only be \$68,000. The previous contract had been paid through commissions that were then charged back to the town. This is ultimately a savings to the town and staff is very excited to be working with CBIZ. There were no questions from Council.

Council Member Kendall Schumacher made the MOTION, seconded by Council Member Brenda Dickinson to approve a five-year Agreement with CBIZ for consulting services in the amount of \$353,791.22 AND approve the related budget adjustment reallocating various personnel benefit budgets to the Human Resources professional services operating account in an amount not to exceed \$68,000.00 by electronic vote. Council Members voted as follows: Mayor Kell Palguta YES, Vice Mayor Lori Hunt YES, Council Members Don Packard YES, Kendall Schumacher YES, April Hepperle YES, Brenda Dickinson YES, and Roger Kinsinger YES. NAYS: none. MOTION Passed with 7 ayes, 0 nays, 0 absent.

10. ADJOURNMENT

Council member Kinsinger made the MOTION, seconded by Council Member Kendall Schumacher to adjourn the meeting by electronic vote. Council Members voted as follows: Mayor Kell Palguta YES, Vice Mayor Lori Hunt YES, Council Members Don Packard YES, Kendall Schumacher YES, April Hepperle YES, Brenda Dickinson YES, and Roger Kinsinger YES. NAYS: none. MOTION Passed with 7 ayes, 0 nays, 0 absent.

Mayor Palguta adjourned the meeting at 6:25 p.m.

ATTEST:

APPROVED:

Fatima Fernandez, Town Clerk

Kell Palguta, Mayor

STATE OF ARIZONA)
COUNTY OF YAVAPAI)

SS:
TOWN OF PRESCOTT VALLEY)
CERTIFICATE OF COUNCIL MINUTES

I, Fatima Fernandez, 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 November 10, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this November 29, 2022

Fatima Fernandez, Town Clerk