

3. CALL TO THE PUBLIC

Public Comment #1: Laura Covell, identified herself as a local business owner and expressed concerns regarding the Town's automated license plate reader and surveillance programs, requesting greater transparency, separate Council approval for surveillance-related expenditures, and Council approval of surveillance policies. She also requested that the program be placed on a properly noticed agenda for a recorded vote and noted that her open meeting law complaint and written objections remain pending. She expressly stated her requests did not waive that complaint or her written objection to the agenda notice, and did not concede that any prior approval was validly noticed. [Laura Covell's written comments, as provided to the Council at the meeting, are attached hereto.]

Public Comment #2: Resident Sheryl Gillum expressed strong opposition to Flock cameras and raised concerns regarding transparency, privacy, camera placement, data access, and potential integration with external law enforcement databases. She urged the Council to state their positions on the matter publicly, publish the contracts and software details, establish independent oversight, and make audit logs publicly available.

Public Comment #3: Resident Greg Gillum expressed concerns about license plate reader cameras, including Flock. He called for stronger oversight, warning that such systems could enable detailed tracking of residents' movements, creating significant privacy and safety risks.

Public Comment #4: Resident Joe Colosimo commended the Yavapai County Recorder and her staff for their work during the most recent election, praising their integrity and professionalism despite unwarranted criticism. He also thanked Councilmember Lopez for her contributions to the Town, noting that she would be greatly missed.

Councilmember Freund noted growing public concern about Flock cameras locally and nationwide, citing constituent emails and community discussions.

Mayor Palguta outlined the allowed options of placing the matter on a future agenda, commenting on criticism, or asking staff to review the matter. Councilmember Freund indicated his preference in placing the matter on a future agenda.

4. NEW BUSINESS (FOR CONSIDERATION & POSSIBLE ACTION)

- a. Resolution No. 2026-2459, Policy Regarding Use of Town Marks (Logo and Seal) - Consideration & Possible Action (Authorize Signature) [Ivan Legler, Town Attorney]

Town Attorney Ivan Legler indicated that the proposed policy was developed in response to concerns raised earlier in the year regarding use of the Town's logo. Staff conducted research and consulted outside counsel regarding trademark law before bringing the proposed policy forward for Council review and consideration.

Brooke Katz, Attorney with Denton Peterson Dunn, PLLC, explained that the Town's seal and logos are valuable assets that serve as identifiers of official Town communications and help protect against misinformation and public confusion. Katz outlined four key components

AYE: Mayor Kell Palguta, Vice Mayor Matt Zurcher, Councilmember Kendall Schumacher, Councilmember Michael Greer, Councilmember Kenneth Freund, Councilmember Janell Kiehl, Councilmember Kymberli Lopez

7 - 0 Passed

Fatima Fernandez, Town Clerk, read Ordinance No. 2025-981 by title only for the first reading.

- c. Opioid Settlement Fund Checks in the amount of \$15,290.03 and \$3,403.36 from Yavapai County Community Health Services - Consideration & Possible Action (Approve) [Robert L. Ticer, Police Chief]

Police Chief Robert L. Ticer stated that the Town had received \$18,693.39 in opioid settlement funds and requested approval to retain and use the funds for education, equipment, and/or software related to narcotics enforcement.

Town Attorney Ivan Legler explained that the funds were already budgeted for specific purposes and that the Police Department brings the funds before the Council because the County has, in the past, requested that such funds be used for joint County purposes, including the funding of NARTA. The request before the Council was therefore to authorize the Police Department to retain and use the funds internally rather than return them to the County. Town Attorney Legler further explained that the funds are already included in the approved budget and designated for specific purposes which is why there is not a detailed discussion regarding the use of funds.

Councilmember Freund inquired whether any of this money is going towards Flock.

Chief Ticer indicated that there were no plans to allocate the approximately \$18,000 in opioid settlement funds towards license plate readers.

Councilmember Kiehl asked Town Manager Gilbert Davidson whether there would be a discussion regarding Flock to engage the community and provide the Council with a better understanding of the system.

Town Manager Davidson advised that an update on the license plate reader (LPR) system has been planned for the October Study Session. He stated that the Chief and his team will provide a presentation on the LPR program, and how the system operates.

Motion by Councilmember Kendall Schumacher, seconded by Councilmember Michael Greer to approve applying recently allocated opioid settlement funds (in the amount of \$18,693.39) for Prescott Valley Police Department education and purchase of necessary equipment and software for enforcement related to the opioid epidemic and to authorize the Finance Department to adjust budget authority within the designated accounts for appropriation of these settlement funds by electronic vote.

AYE: Mayor Kell Palguta, Vice Mayor Matt Zurcher, Councilmember Kendall Schumacher, Councilmember Michael Greer, Councilmember Kenneth Freund, Councilmember Janell Kiehl, Councilmember Kymberli Lopez

7 - 0 Passed

- d. Ordinance No. 2026-980, ICC & Related Codes Update/Town Code Chapter 7 Amendments - Consideration & Possible Action (1st Reading) [Woody Lewis, Chief Building Official, and Russ Harsh, Senior Plan Examiner]

Stacey Bristow, Development Services Director, advised that the code update process had been ongoing for approximately nine months and included coordination with jurisdictions throughout Yavapai County and surrounding areas to ensure regional alignment. She noted that the Town follows best practices by conducting comprehensive code updates every six years. Two community outreach efforts were conducted, with no significant concerns raised regarding the proposed updates.

Woody Lewis, Chief Building Official, reviewed the proposed code updates for adoption, including cost impacts and new definitions in the 2024 International Residential Code (IRC), such as Live/Work Unit, Elevated PV Support Structure (standalone photovoltaic panel structure), and Intermodal Shipping Containers. The following additional updates were highlighted:

- In homes where a room opening to a bedroom hallway has a ceiling 24 inches higher than the hallway, smoke alarms would be required in both the hallway and the room.
- Vapor retarder (concrete floor slabs) shall be installed as required and specified by the certified geotechnical engineer and must be identified in the geotechnical soils report.
- All one- and two-family dwellings must have a surge-protective device (SPD) installed.
- All outdoor outlets on single-phase circuits must have GFCI (Ground Fault Circuit Interrupter) protection, including those in garages at or below grade, accessory buildings and boathouses. Exceptions: No GFCI needed for lighting outlets (except those in NFPA 70, 210.8(F)). No GFCI needed for non-readily accessible receptacles on dedicated circuits for snow-melting, deicing, or heating systems protected per NFPA 70. No GFCI required for listed HVAC equipment (exception expires September 1, 2026).

Following, he discussed updated insulation requirements based on the 2012 International Energy Conservation Code (IECC), which was recommended for adoption to maintain consistency with Yavapai County, given that county land surrounds the Town.

Vice Mayor Zurcher acknowledged Woody's forty-one years of service to the Town and expressed appreciation for his many years of dedicated service as he prepares to retire in the coming weeks.

Motion by Councilmember Kendall Schumacher, seconded by Vice Mayor Matt Zurcher to read Ordinance No. 2026-980 by title only on two separate occasions (then place for final passage), repealing prior codes (and adopting the following new codes, with amendments) in Chapter 7 of the Prescott Valley Town Code: Prescott Valley Administrative Code; 2024 International Building Code (IBC); 2024 International Residential Code (IRC); 2024 International Mechanical Code (IMC); 2024 International Plumbing Code (IPC); 2023 National Electrical Code (NEC); 2024 International Property Maintenance Code (IPMC); 2024 International Fuel Gas Code (IFGC); 2024 International