TOWN COUNCIL
REGULAR MEETING
Council Chambers/Library Auditorium
7401 E. Skoog Blvd., Prescott Valley, Arizona 86314, at 5:30pm

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MEETING MINUTES
October 8, 2026

Present: Kell Palguta, Mayor
Matt Zurcher, Vice Mayor
Kendall Schumacher, Councilmember
Michael Greer, Councilmember
Kenneth Freund, Councilmember
Janell Kiehl, Councilmember
Jason Thornton, Councilmember

1. CALL TO ORDER AND ROLL CALL

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

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Elder Steve Adams with Firm Foundation Bible Church followed by the recitation of the pledge of allegiance.

3. APPROVAL OF THE AGENDA

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Kendall Schumacher to approve the agenda as presented (by electronic vote).

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

7 - 0 Passed

4. PROCLAMATIONS

a. Domestic Violence Awareness Month [Stepping Stones Agencies, Yavapai Family Advocacy Center, Yavapai Community Health Services]

The Town of Prescott Valley proclaimed the month of October as Domestic Violence Awareness Month and urged all citizens to work together, with one goal in mind, to eliminate domestic violence from our community.

Missy Sikora, Yavapai Family Advocacy Center Executive Director, recognized James Tobin with Yavapai Community Health Services and Alexis Miller with Stepping Stones Agencies. She then thanked the Town for recognizing Domestic Violence Awareness Month and for its continued support of local advocacy efforts.

5. SCHEDULED ANNOUNCEMENTS AND PRESENTATIONS

a. Chamber of Commerce Spotlight [Steve Bracety, President/CEO]

Steve Bracety highlighted the successful Puente de la Comunidad event, educational programs, and networking opportunities. He announced Restaurant Week, a quarterly breakfast titled November Ballot Briefing, and a Veterans Luncheon featuring Major General Jeannie Leavitt as guest speaker.

Councilmember Freund suggested expanding Restaurant Week to include other local service businesses, a recommendation Bracety acknowledged as worth considering.

6. CALL TO THE PUBLIC

Public Comment #1: Resident Kelly Kolp, a resident of Pronghorn Ranch, requested a thirty-day postponement of the proposed cell tower lease decision, citing concerns regarding the completeness and compliance of the application. She requested additional documentation, including coverage maps and information on existing towers and alternative locations, to allow residents' legal counsel to review the proposal. She also raised concerns regarding potential impacts on nearby homeowners and property values.

Public Comment #2: Resident Andrew Kolp, a resident of Pronghorn Ranch, also requested a thirty-day postponement of the proposed cell tower lease to allow residents' legal counsel to review the matter. He expressed concerns regarding potential impacts on nearby property values and suggested considering existing tower locations as alternatives. He also proposed reviewing zoning setback requirements to establish a minimum 1,500-foot setback for new wireless facilities from residential areas.

Public Comment #3: Eric Fowler, Chair of the Maricopa County Libertarian Party, raised concerns regarding the use of automated license plate reader (ALPR) technology, citing a federal court case and examples of vehicle tracking through camera networks. He expressed concerns regarding privacy, data retention, and audit-log transparency and requested that the Town investigate searches involving a Councilmember's wife's license plate to determine their origin.

Public Comment #4: Patricia Betzhold criticized the Town's taxpayer-funded informational

videos regarding Propositions 492 and 404, alleging that they omitted key information from Town ordinances and presented misleading or incomplete information. She raised concerns regarding potential development costs, floodplain impacts, infrastructure demands, and future mining expansion. She encouraged voters to review the ordinances.

Public Comment #5: Laura Covell voiced concerns regarding the Police Department's use of automated license plate reader (ALPR) technology, citing cases of misuse and requesting an independent audit of searches, with the findings made public. She also urged the Town to consider discontinuing the ALPR and related surveillance program, disclose associated termination and removal costs, and schedule a public meeting with a recorded Council vote on the matter.

Public Comment #6: Resident Greg Gillum shared his concerns regarding Flock automated license plate reader (ALPR) technology, referenced a recent federal court ruling in Oklahoma concerning Fourth Amendment protections, and characterized the system as a form of indiscriminate mass surveillance. He questioned the scope of information accessible through the system, referenced reporting by 404 Media, and requested that the Town remove the ALPR system and cancel its Flock contract.

Public Comment #7: Resident Marco Tovar questioned the necessity and potential implications of Flock automated license plate reader (ALPR) technology. He raised issues regarding potential surveillance abuses, cybersecurity vulnerabilities, unauthorized access to shared data, and the possibility of foreign actors exploiting such systems. He noted that residents had voiced opposition through public comments, petitions, and a third-party poll, and requested removal of the technology. He also addressed cell tower placement, advocating for a more suitable location.

Public Comment #8: Resident Dave Larner addressed an alleged incident during the September 24, 2026, Town Council meeting involving obscene gestures by an audience member toward him and another speaker. He criticized the behavior as inappropriate and disputed the accuracy of a subsequent Nextdoor post by Larry Neigel regarding the incident.

Public Comment #9: Resident Emily Christman requested postponement of the proposed cell tower lease at Pronghorn Park to allow additional time for residents and legal counsel to review the application. She raised concerns regarding the tower's proximity to homes and athletic fields, potential impacts on property values and neighborhood character, and whether existing tower locations had been fully explored as alternatives. She also encouraged the Town to consider stronger code protections for parks, schools, athletic fields, and residential neighborhoods.

7. COUNCIL COMMUNICATIONS: SUMMARY OF CURRENT EVENTS

Councilmember Kiehl announced an upcoming Prescott Valley Police Foundation pickleball tournament this upcoming Saturday at Analopee Park and noted that volunteers from the Lions Club would be at Sally B's, Tractor Supply, and Ace Hardware for International White Cane Day. Additionally, she praised the previous evening's domestic violence awareness event.

Councilmember Freund reminded residents of the upcoming election and reported that, according to a conversation with Yavapai County Recorder Michelle Burchill, nearly 1,000 ballots had arrived through the postal system after the deadline and could not be counted. He encouraged voters to use ballot drop boxes rather than rely on postal delivery.

Mayor Palguta congratulated Communications team member Latoya on her upcoming wedding.

Councilmember Greer announced the opening of Aldi's on October 15, 2026.

8. MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

No report.

9. CONSENT AGENDA

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Michael Greer to approve all matters listed on the consent agenda by electronic vote.

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

7 - 0 Passed

a. Regular Town Council Meeting Minutes of September 10, 2026 - Consideration & Possible Action (Approve) [Fatima Fernandez, Town Clerk]

b. Regular Town Council Meeting Minutes of September 24, 2026 - Consideration & Possible Action (Approve) [Fatima Fernandez, Town Clerk]

c. Recommendation to Arizona Department of Liquor License & Control Acquisition of Control Application Walgreens #06666 - Consideration & Possible Action (Approval) [Marissa Greenwood, Deputy Town Clerk]

d. Recommendation to Arizona Department of Liquor License & Control, Acquisition of Control/Agent Change Application for W&Z Asian Bistro - Consideration & Possible Action (Approval) [Marissa Greenwood, Deputy Town Clerk]

e. Designating Town Clerk Records Officer to State Library - Consideration & Possible Action (Approve) [Fatima Fernandez, Town Clerk]

10. OLD BUSINESS (FOR CONSIDERATION & POSSIBLE ACTION)

a. Proposed Town Code Provisions Regulating E-Bikes - Consideration & Possible Action (2nd Reading) [Traci Lira, Neighborhood Services Director]

Councilmember Kiehl shared feedback from a community town hall regarding a suggestion to require high-visibility gear as part of e-bike safety measures.

Bobby Kieren, Parks and Recreation Director, advised that the current e-bike ordinance does not require high-visibility gear but recommended its use for safety. However, the requirement could be considered for inclusion at a later date.

Fatima Fernandez, Town Clerk, read Ordinance No. 2026-985 by title only for the second reading. Mayor Palguta asked, “Shall this Ordinance Pass?”

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

7 - 0 Passed

b. Amendments to Town Code Chapter 12, Floodplain Management - Consideration & Possible Action (2nd Reading, Public Hearing) [John Litteer, PE, Town Engineer]

Mayor Palguta opened the public hearing.

There were no comments from the public.

Mayor Palguta closed the public hearing.

Fatima Fernandez, Town Clerk, read Ordinance No. 2026-984 by title only for the second reading. Mayor Palguta asked, “Shall this Ordinance Pass?”

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

7 - 0 Passed

11. NEW BUSINESS (FOR CONSIDERATION & POSSIBLE ACTION)

a. Development Impact Fee (DIF) Report - Public Hearing Only [Ryan Judy, Deputy Town Manager]

Ryan Judy, Deputy Town Manager, presented the proposed development impact fee updates, explaining that the fees are one-time charges on new residential and nonresidential construction to help fund growth-related infrastructure to serve that new growth. Deputy Town Manager Judy advised that, following legal consultation, the proposed implementation date for fee increases would be delayed two years to January 26, 2029, and noted that the resolution would be updated accordingly. Maximum allowable fees and potential increases were then reviewed, including the expiration of the grandfathered library fee once associated financial obligations are satisfied.

Vice Mayor Zurcher corrected the Council meeting date shown in the presentation to November 12, 2026, and Deputy Town Manager Judy confirmed the correction would be made.

Councilmember Freund recommended setting impact fees near the maximum allowable amounts, citing infrastructure costs, park maintenance, and anticipated wastewater treatment plant upgrades.

Mayor Palguta opened the public hearing.

Public Comment #1: Patricia Betzhold questioned whether developers would pay a sufficient share of growth-related infrastructure costs, citing projected street improvement costs and other public service needs. She stated that existing residents would bear a portion of these expenses and encouraged opposition to Proposition 492.

Mayor Palguta closed the public hearing.

Councilmember Kiehl requested clarification regarding the proposed impact fee implementation date, asking why the anticipated January 2027 date had been moved to January 2029.

Deputy Town Manager Judy clarified that the impact fees had an original effective date of January 26, 2027, following the statutory seventy-five day period. However, based on recent statutory changes and advice from outside legal counsel, implementation would be delayed an additional two years, to January 26, 2029.

Town Attorney Ivan Legler explained that legislation signed by the Governor in June included last-minute amendments that created ambiguity regarding which types of developments would be subject to the two-year delay in impact fee implementation. Based on recommendations from those involved in negotiating the legislation, it was recommended to apply the delay to all applicable developments.

b. Notice of Intent, Increase Water & Wastewater System Capacity Charges per ARS 9-511.01 - Consideration & Possible Action (Approve Notice of Intent) [Ryan Judy, Deputy Town Manager]

Ryan Judy, Deputy Town Manager, explained that water and wastewater capacity fees help fund infrastructure improvements, such as wastewater treatment plant expansions, lift stations, waterline extensions, and new wells. The Town is updating these fees to meet a legislative deadline and has previously engaged Willdan Financial Services to review water and sewer rates, capacity fees, the water resource fee, and the stormwater fee. The proposed adoption of the notice of intent would not affect monthly water and sewer rates.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Michael Greer to approve a Notice of Intent to increase Water & Wastewater System Capacity Charges in accordance with ARS 9-511.01, and set a date of December 10, 2026 to consider any such increased Charges after a public hearing by electronic vote.

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

7 - 0 Passed

c. Construction Services (CMAR) and Architectural Services (Including Construction Administration), Town Aquatics & Recreation Facility (CIP #CF2503) - Consideration & Possible Action (Approve) [Heather Ruder, Public Works Director]

Heather Ruder, Public Works Director, introduced Kitchell, the project management and construction management team selected through the Request for Qualification process to support the Public Works Department through the next phase of the Town's aquatic and indoor recreation center project. Director Ruder indicated that Path A covers pre-construction and architectural services for the indoor aquatic center, while Path B includes the additional recreation facility, contingent on voter approval in the November election. If the measure is not approved, the project would proceed under Path A. Ryan Brady with Kitchell was invited to present an overview of the project's progress and next steps.

Ryan Brady, Regional Operations Manager at Kitchell, provided an overview of the aquatic and indoor recreation center project, highlighting extensive public engagement and a citizen committee's prioritization of amenities, with an indoor pool ranked highest, followed by fitness space and multipurpose rooms. Given the $16 million currently available and an additional $14 million contingent on voter approval of Proposition 493, the project is proceeding with two potential scopes. Brady explained that Grace Design Studios (architectural services) and CORE (pre-construction services) would collaborate throughout design to evaluate costs, constructability, and schedules. It was proposed that the Council provide approval to proceed on both options pending the November 3 election results. Future milestones include periodic cost estimates, value engineering, and presentation of a guaranteed maximum price (GMP) to Council before construction.

Councilmember Kiehl expressed support for moving forward with a year-round indoor pool, noting the strong community interest reflected in survey results and commending the citizen committee for its extensive work.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Kendall Schumacher to approve a Professional Services Agreement with Grace Design Studios, LLC for Architectural Services (including construction administration) for the potential Aquatics & Recreation Facility Project (CIP# CF2503) in the amount of $2,743,902.00 (plus an owner contingency in the amount of $50,000) by electronic vote.

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

7 - 0 Passed

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Kendall Schumacher to approve a Construction Manager at Risk (CMAR) Agreement with CORE Construction, Inc. for the potential Aquatics & Recreation Facility Project (CIP# CF2503) in the amount of $349,476.00 by electronic vote.

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

7 - 0 Passed

d. Proposed Amendment Town Code 11-03-040 Authority Designate Restricted Parking Areas - Consideration & Possible Action (1st Reading) [Parker Murphy, Traffic Engineer]

Parker Murphy, Traffic Engineer, explained this is a proposed amendment to Chapter 11 regarding the designation of parking zones to the Public Works Department, following discussion at the previous week's Study Session meeting.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Kendall Schumacher to read Ordinance No. 2026-986 amending Town Code 11-03-040 assigning designation of restricted parking areas by title only on two separate occasions, then place the same on final passage by electronic vote.

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

7 - 0 Passed

Town Clerk Fatima Fernandez read Ordinance No. 2026-986 by title only for the first reading.

e. Stormwater Infiltration & Recharge Resolution - Consideration & Possible Action (Authorize Signature) [Skyler Barton, Assistant to the Town Manager/Interim Deputy Utilities Director]

Town Manager Gilbert Davidson explained that this proposed resolution reaffirms the Town's commitment to stormwater capture as a potential water source, consistent with the Town's strategic plan. Town Manager Davidson highlighted ongoing projects and regional collaboration with Yavapai County, neighboring jurisdictions, and state partners, noting that legal considerations regarding downstream water rights must be addressed. The Town is also reviewing a comprehensive stormwater report prepared by Arizona's three state universities to help guide future projects. He clarified that the resolution does not create any specific commitment, financial or otherwise.

Public Comment #1: Resident Dave Larner, StoneRidge Board Member, supported the proposed cell tower, stating that homeowners were eager for improved cellular coverage. He described a reported emergency in which a resident was unable to call for assistance due to a lack of service and emphasized the importance of reliable communication for community safety. He urged Council to approve the proposal.

Public Comment #2: A resident asked whether additional cellular providers were expected to use the proposed tower, citing an experience with no cell service in the area.

Mayor Palguta reiterated the question.

Kennedy clarified that the tower could accommodate AT&T, T-Mobile, or other carriers in addition to Verizon. He added that other providers often pursue co-location opportunities in areas with poor cellular coverage after a tower is established.

Mayor Palguta closed the public hearing.

Councilmember Kiehl commended the detailed presentation at the Planning and Zoning Commission meeting, noting that the information helped her make a decision. The Councilmember also stated that no opposition was apparent, residents supported the proposal, and the applicant had identified the site as the only viable location.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Michael Greer to authorize signature of Resolution No. 2026-2463 supporting local and regional stormwater infiltration and recharge projects by electronic vote.

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

7 - 0 Passed

f. GPA26-001 StoneRidge Cell Tower, Resolution No. 2026-2462 - Consideration & Possible Action (Authorize Signature) [Chris Norlock, Urban Planner II]

Chris Norlock, Urban Planner II, presented the proposed Minor General Plan Amendment and Zoning Map Change for approximately 0.3 acres identified as parcel 103-61-004C, located east of StoneRidge Drive, north of Lucky Draw, and south of Old Black Canyon Highway near the golf course maintenance building. The requests would change the land use designation from Community Commercial to Low Density and rezone RL-10 PD (Residential; Single Family Limited, Planned Area Development) to accommodate a lot line adjustment for a proposed monopine cell tower location and meet the required 100-foot fall-zone setback. The Planning and Zoning Commission recommended approval of both requests, with additional conditions for the Zoning Map Change. The applicant was invited to provide further information regarding the proposed site and project logistics.

Mayor Palguta inquired whether both agenda items were public hearings, and it was confirmed that each item included a public hearing.

Logan Williams, Pinnacle Consulting, Inc, representing Sun State Towers and Verizon Wireless, presented the proposed one-hundred foot monopine cell tower, to be located adjacent to the StoneRidge Golf Course maintenance facility, enclosed by a CMU wall, and accessed from Old Black Canyon Highway. Verizon would be the anchor tenant, with space for two additional carriers. Williams explained that the site was selected due to limited suitable alternatives in the surrounding area and anticipated future development of nearby properties.

Mayor Palguta noted that StoneRidge residents had expressed concerns about poor or nonexistent cell phone service in their homes and said residents had welcomed the proposed cell tower.

Steve Kennedy, radio frequency engineering consultant, explained that the tower would address capacity constraints and improve cellular coverage, particularly indoor service, in the surrounding area. Kennedy noted that the nearest existing site was approximately 1.2 miles away and was experiencing capacity limitations, contributing to poor service in the proposed tower’s coverage area.

Councilmember Freund asked whether the cell site would have an automatic generator capable of supporting the full electrical load during a power outage.

Kennedy confirmed that it would.

Mayor Palguta opened the public hearing.

Public Comment #1: Resident Dave Larner, StoneRidge Board Member, supported the proposed cell tower, adding that homeowners were eager for improved cellular coverage. He described a reported emergency in which a resident was unable to call for assistance due to a lack of service and emphasized the importance of reliable communication for community safety. He urged Council to approve the proposal.

Motion by Councilmember Kendall Schumacher, seconded by Vice Mayor Matt Zurcher to authorize signature of Resolution No. 2026-2462 adopting GPA26-001 for the development of a cell tower in a portion of APN #103-61-004C by electronic vote.

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

7 - 0 Passed

g. ZMC26-002 StoneRidge Cell Tower, Ordinance No. 2026-987 - Consideration & Possible Action (Public Hearing, 1st Reading) [Chris Norlock, Urban Planner II]

Mayor Palguta opened the public hearing.

There were no comments from the public.

Mayor Palguta closed the public hearing.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Kendall Schumacher to read Ordinance No.2026-987 adopting ZMC26-002 by title only on two separate occasions, then place the same on final passage by electronic vote.

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

7 - 0 Passed

Town Clerk Fatima Fernandez read Ordinance No. 2026-987 by title only for the first reading.

h. Telecommunications Lease Town & Allynx, AT&T Wireless Services Pronghorn Park Light Pole - Consideration & Possible Action (Authorize Signature) [Bobby Kieren, Parks and Recreation Director]

Bobby Kieren, Parks and Recreation Director, introduced the proposed lease agreement

with Allynx to allow AT&T to install a cellular array at the top of an existing sports field light pole at Pronghorn Park and invited AT&T representative Bill Koning to further present the proposal.

Bill Koning, Smartlink, representing AT&T, presented the proposed cellular tower at Pronghorn Park. He explained that the project aims to improve AT&T coverage in the Pronghorn Ranch community and nearby residential areas. The antennas would be installed above an existing sports field light pole, with ground equipment located approximately 150 feet south in a 20-by-25-foot compound enclosed by a CMU wall and topped with a safety fence cap. Simulated images and coverage maps showing projected improvements were presented. It was noted that the proposed site would help address gaps in indoor cellular service. Koning reported that thirty-eight residents attended a community meeting, with the majority expressing opposition, primarily due to health concerns. He referenced FCC (Federal Communications Commission) regulations and described the proposed location as the most viable option for providing coverage.

Mayor Palguta referenced a prior comment regarding the use of Viewpoint Park and invited the applicant's representative to respond.

Koning explained that antennas may be installed at Viewpoint Park in the future to improve coverage in the western portion of the Pronghorn community. Cellular sites typically provide coverage within approximately a quarter mile and that increasing capacity demands as Prescott Valley grows will likely require additional sites closer to homes and businesses. He noted that utilizing existing light poles at parks could help improve coverage while minimizing the need for new structures. Although AT&T had not confirmed plans for a site at Viewpoint Park, he indicated that one may be considered in the future, depending on available funding.

Mayor Palguta asked whether AT&T had previously proposed a similar installation in the Pronghorn community approximately two to three years earlier and asked whether the applicant representative had participated in that presentation.

Koning stated that he was not involved in the previous proposal but understood it involved installing a new pole.

Mayor Palguta expressed support for improving cellular service and public safety but noted that residents had requested an additional thirty days to review the information and conduct due diligence. He stated that he would support allowing the additional time and invited other Councilmembers to share their views.

Town Attorney Ivan Legler provided background on the Town's telecommunications planning process, explaining that federal law limits local governments' ability to deny zoning for facilities that meet applicable requirements. In the late 1990s, the Town worked with Prescott and Yavapai County to develop a telecommunications plan encouraging facilities to be located on public property and existing government infrastructure. The Town Code was amended to allow such facilities in public land zones as a matter of right, subject to neighborhood meetings and compliance with federal law requirements. The Town leases its infrastructure to Allynx, which negotiates agreements with telecommunications providers and shares lease revenue with the Town. It was noted that existing telecommunications facilities in Prescott Valley are located on government or school district property. The

proposed StoneRidge facility was the first instance requiring rezoning of private property because suitable public property was not available to provide the desired coverage. This was why the proposal followed a different process from facilities located on public land.

Koning advised that another telecommunications lease near Robert Road was currently in progress and anticipated to come before Council at a future meeting.

Mayor Palguta noted that, although Council could delay its decision for thirty days, a vote on the matter would ultimately be necessary.

Town Attorney Legler offered to speak with the residents' attorney should they wish to discuss the matter further.

Councilmember Freund discussed the importance of Council understanding technical issues and communicating them to the public. He noted that the introduction of 5G generated misinformation and concerns, and stated that there is no scientifically established required distance for living near 5G towers. He explained that smaller towers, such as the one proposed at Pronghorn Park, produce relatively low-power signals that decrease in intensity with distance. He also stated that cell phones may expose users to radio waves more so than a distant tower and expressed support for postponing the decision to allow residents additional time to review the proposal.

Councilmember Kiehl supported postponing the matter and suggested discussing alternative options, including a monopine, water tower, or other nearby undeveloped locations that could accommodate a cell tower as part of future development, minimizing impacts on existing residents.

Vice Mayor Zurcher indicated that the proposed tower would improve coverage in Pronghorn but appeared to provide greater coverage to the east.

Koning replied that there are fewer trees and buildings obstructing the signal and noted that additional equipment may be needed to improve coverage to the west.

Vice Mayor Zurcher supported postponing the decision until at least the next Council meeting.

Mayor Palguta asked whether the item could be placed on the agenda for the Council meeting in November, allowing residents the additional time, as the next meeting in two weeks would not provide sufficient time.

Town Manager Gilbert Davidson confirmed that this item can be brought back at the November Council meeting.

Koning has no objection to postponing the matter, adding that the tower would include FirstNet, a dedicated communications network for first responders designed to support emergency communications during disasters or other major emergencies when cellular networks may become congested.

Mayor Palguta emphasized that public safety is a priority for Council and expressed appreciation for the inclusion of FirstNet to support emergency communications,

referencing a resident's account of being unable to call 911 during an emergency.

Vice Mayor Zurcher encouraged the applicant's representative to hold an additional community meeting in Pronghorn to provide an opportunity for further discussion with residents.

Motion by Vice Mayor Matt Zurcher, seconded by Councilmember Michael Greer to postpone this agenda item to a future meeting, specifically the November 12, 2026 meeting (by electronic vote).

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

7 - 0 Passed

12. ADJOURNMENT

Mayor Palguta adjourned the meeting at 7:15pm.

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, Marissa Greenwood, Deputy 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 October 8, 2026.

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

Dated this November 12, 2026

_____

Marissa Greenwood, Deputy Town Clerk

Marissa Greenwood

From: Fatima Fernandez
Sent: Thursday, October 8, 2026 1:59 PM
To: Walt Hutton
Cc: Gilbert Davidson; Marissa Greenwood
Subject: Re: Request to Include Written Public Comments in Official Record, October 8, 2026 Town Council Meeting
Attachments: Walt_Hutton_Call_to_Public_2026-10-08-2.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

(Town Council bcc'd)

Mr. Hutton,
Thank you for contacting the Town Clerk's Office.
Please accept this email as confirmation that your mail has been received and will be included in the meeting record.

Thank you.

Fatima Fernandez, MMC
Town Clerk | Town Clerk Department
Town of Prescott Valley

ffernandez@prescottvalley-az.gov
928-759-3028 | 928-759-3135

prescottvalley-az.gov

To ensure compliance with the Open Meeting Law, recipients of this message who are members of a public body should not forward it to other members of the public body. Members of the public body may reply to this message, but they should not send a copy of the reply to other members.

From: Walt Hutton <walthutton@gmail.com>
Sent: Thursday, October 8, 2026 1:51 PM
To: Fatima Fernandez <ffernandez@prescottvalley-az.gov>
Cc: Kell Palguta <kpalguta@prescottvalley-az.gov>; Matt Zurcher <mzurcher@prescottvalley-az.gov>; Ken Freund <kfreund@prescottvalley-az.gov>; Janell Kiehl <jkiehl@prescottvalley-az.gov>; Kendall Schumacher <kschumacher@prescottvalley-az.gov>; Michael Greer <mgreer@prescottvalley-az.gov>; Gilbert Davidson <gdavidson@prescottvalley-az.gov>
Subject: Request to Include Written Public Comments in Official Record, October 8, 2026 Town Council Meeting

EXTERNAL EMAIL - This email was sent by a person from outside your organization. Exercise caution when clicking links, opening attachments or taking further action, before validating its authenticity.

Secured by Check Point

Dear Mayor, Town Council Members, and Town Clerk:

Attached is my written statement for the October 8, 2026, Prescott Valley Town Council meeting, concerning the Town's automated license plate reader (ALPR) and connected surveillance systems.

As I am unable to attend in person, I have arranged for another individual to read my statement during Call to the Public. The individual will identify themselves and make clear that the statement represents my own words and opinions as a Prescott Valley resident.

I respectfully request that the Town Clerk:

1. Accept the attached statement as my formal written public comments.
2. Include the complete statement in the official record of the October 8, 2026, Town Council meeting, subject to applicable Town procedures.
3. Distribute a copy to the Mayor and each member of the Town Council.
4. Acknowledge receipt and confirm whether the statement will be included in the meeting record.

My statement requests an independent audit of the Town's entire connected surveillance system, followed by a clearly noticed public agenda item and recorded Council vote concerning removal of the ALPR and connected surveillance system.

I believe these matters deserve full public transparency, independent verification, and direct accountability from our elected representatives.

Thank you for your attention and for ensuring my comments are properly received and preserved.

Respectfully,

Walt Hutton
Prescott Valley Resident

Attachment: Walt Hutton, Call to the Public Statement, October 8, 2026 (PDF)

CALL TO THE PUBLIC

Prescott Valley Town Council Meeting • October 8, 2026

Reader opening: "Good evening. My name is [READER NAME]. I am reading the following statement on behalf of Walt Hutton, a Prescott Valley resident. These are Mr. Hutton's own words and opinions."

Mayor, Vice Mayor, and Members of the Council:

I am submitting this statement to be read into the record because I am unable to attend tonight.

My request to this Council is straightforward.

Prescott Valley needs an independent audit of the entire connected surveillance system, including the automated license plate reader system and every database, network, platform, agency, or outside entity connected to it.

Residents should not have to guess about what information can be accessed, who can search it, what searches have been conducted, how long information is retained, or where that information can be shared.

Those questions should be answered by an independent review, not simply by another presentation from the agencies or vendors responsible for operating the system.

An audit should determine who has access, what systems are connected, what information can be searched, what information has actually been searched, what outside agencies or private entities can receive the data, and whether the system has operated consistently with the representations made to this Council and to the public.

If the system is operating exactly as represented, an independent audit should be welcomed.

But the audit is only the first step.

After the audit is completed and its findings and supporting records are made available to the public, this Council should place the continued use of the ALPR and connected surveillance system on a clearly noticed public agenda.

Then vote on it.

Not a workshop. Not another presentation. Not an informal discussion.

A recorded Council vote.

If members of this Council believe the system should remain, explain why and vote accordingly. If members believe it should be removed, vote accordingly.

Either way, the decision belongs in public, where residents can hear the evidence, address their elected representatives, and know exactly where each Council member stands.

So tonight I am asking for two specific actions:

First, authorize a genuinely independent audit of the entire connected surveillance system, including access, searches, data sharing, retention, and outside connections.

Second, place removal of the ALPR and connected surveillance system on a clearly noticed Council agenda for public discussion and a recorded vote.

Prescott Valley residents deserve more than assurances that everything is working as intended.

We deserve verification. We deserve transparency. And ultimately, we deserve a public vote.

Please put both requests on the record tonight.

Thank you.

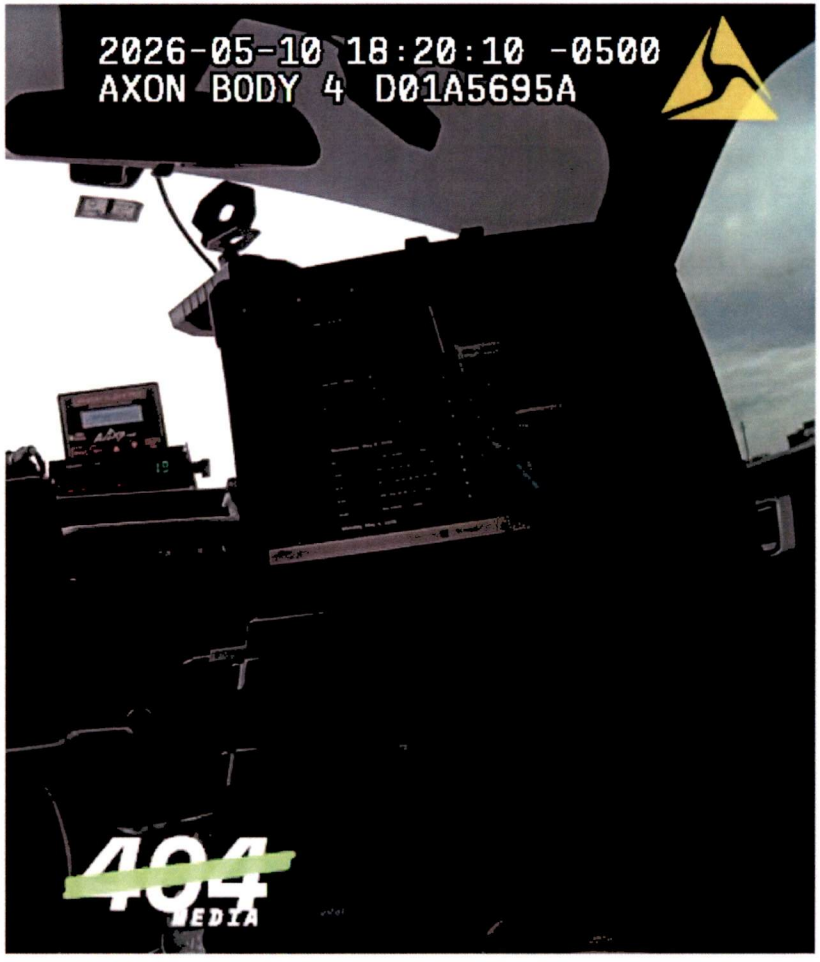
Walt Hutton
Prescott Valley Resident



United States v. Kyle, No. 4:26-cr-00189-SEH (N.D. Okla. Oct. 1, 2026), Opinion and Order, ECF No. 62, at 17 (deputy body-camera still, ECF No. 47-6).
Held: the deputy's warrantless search of Flock/ALPR location history violated the Fourth Amendment; evidence suppressed (id. at 37-38).
Full opinion: https://storage.courtlistener.com/recap/gov.uscourts.oknd.76981/gov.uscourts.oknd.76981.62.0.pdf

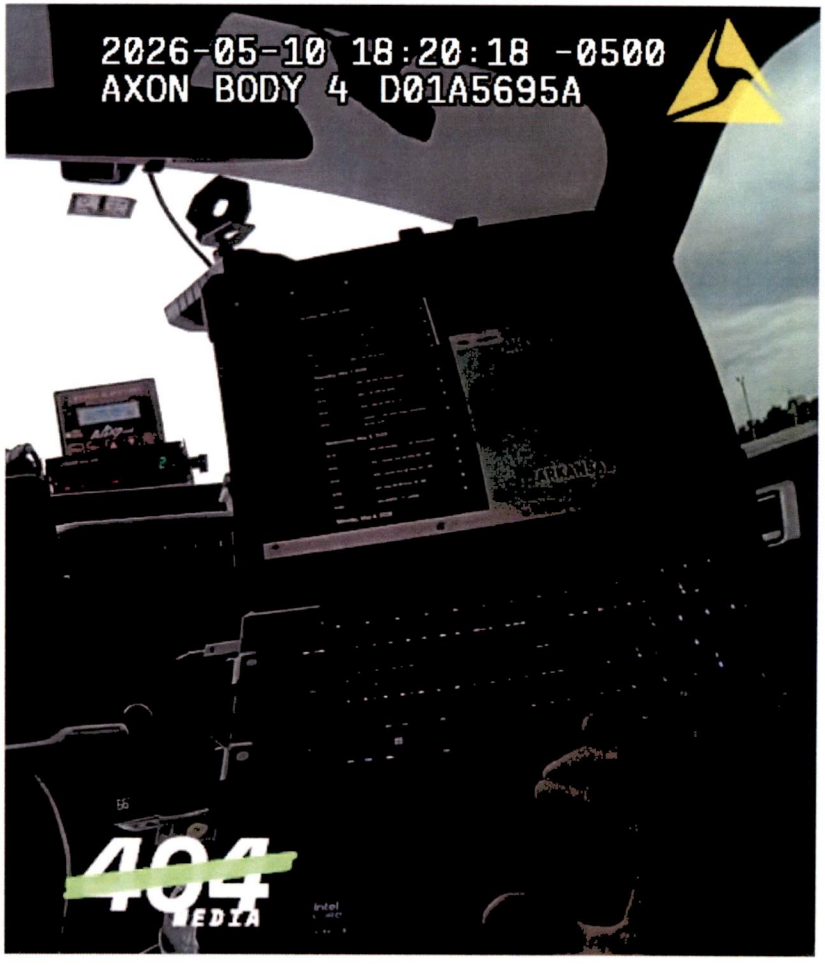
One plate search. A month of someone's life.

A sheriff's deputy saw a car with California plates and ran the plate. This is his laptop, filmed by his own body camera.



6:20:10 PM

The whole country. The heat map traces the car from the California–Arizona border back to Missouri. On the left, every camera sighting, listed by day.



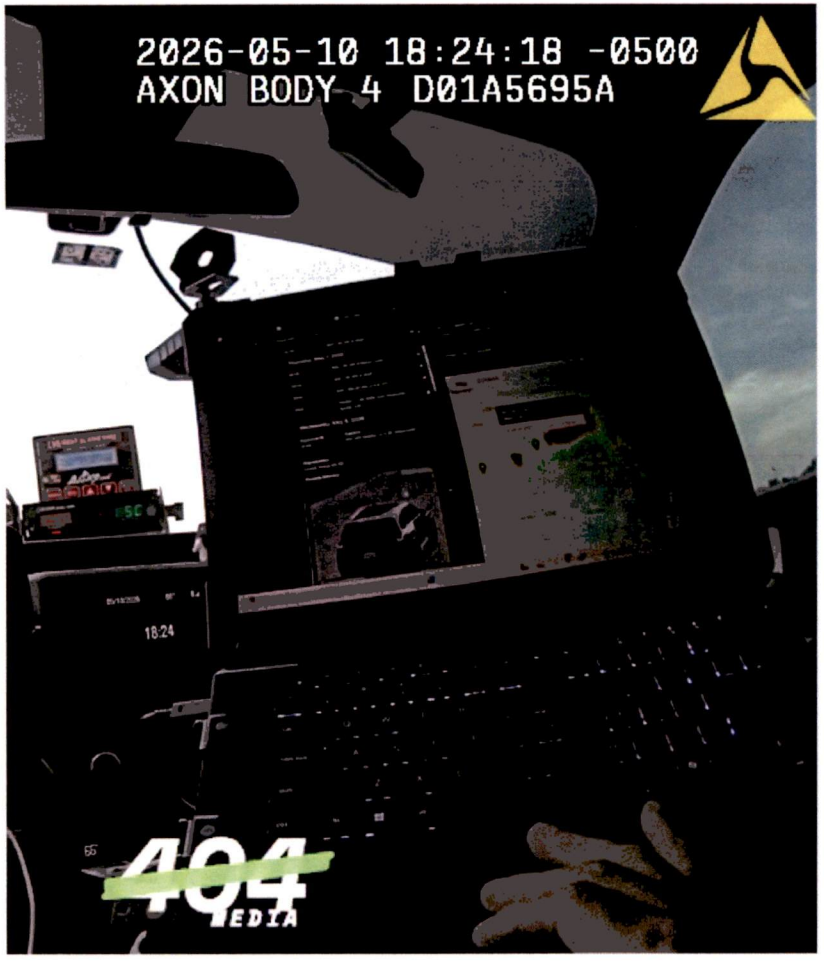
6:20:18 PM

Eight seconds later, the same search zoomed in on Missouri and Arkansas. The darkest red is where cameras logged the car most often.

Source: Tulsa County deputy body camera (Axon Body 4 D01A5695A), May 10, 2026, the camera cited in United States v. Kyle, No. 4:26-cr-00189-SEH (N.D. Okla.), Opinion and Order of Oct. 1, 2026. Video published by 404 Media. Frames are cropped and lightened only; nothing added, removed or enhanced. Timestamps and watermark are from the original video.

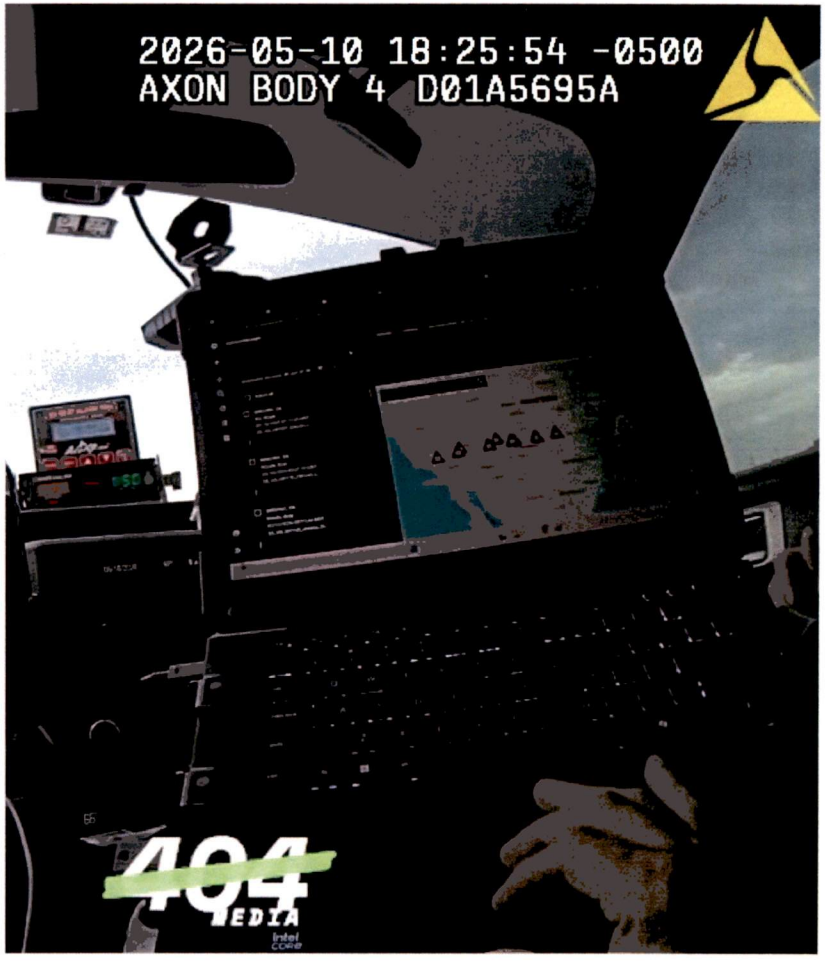
Every sighting comes with a photo.

Minutes later, the same deputy opens individual sightings and then a second plate-reader system.



6:24:18 PM

A sighting opened: a camera photo of the car and its plate on the left, its place on the trip on the right.



6:25:54 PM

A second plate-reader system on the same laptop marks the car's sightings across the country.

Source: Tulsa County deputy body camera (Axon Body 4 D01A5695A), May 10, 2026, the camera cited in United States v. Kyle, No. 4:26-cr-00189-SEH (N.D. Okla.), Opinion and Order of Oct. 1, 2026. Video published by 404 Media. Frames are cropped and lightened only; nothing added, removed or enhanced. Timestamps and watermark are from the original video.