

City of Prescott

City Council - Study Session

March 14, 2023 | 1:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Mayor Goode called the meeting to order at 1:05 p.m.

2. ROLL CALL

Phil Goode - Mayor
Brandon Montoya - Mayor Pro Tem
Connie Cantelme - Councilwoman
Eric Moore - Councilman (Excused)
Cathey Rusing - Councilmember
Steve Sischka - Councilman
Clark Tenney - Councilman

3. DISCUSSION

- A. Discussion Regarding Request for Naming of Granite Dells No Name Creek. City Clerk Sarah Siep provided a presentation to Council regarding the applications received in early January for the proposed renaming of "No Name Creek" to "Elisabeth Creek" in honor of Elisabeth Ruffner. The city received two applications, one from Becky Ruffner and another from Ruth Ann Norris, Ms. Norris stated that she would like for Ms. Ruffner's application to be the one considered but she is in support of the renaming and is present to address Council today. In accordance with the City Facility Naming Policy this Study Session serves as the initial discussion for the request, the application will then be placed on the city website for a 30-day public comment period and returned to Council for possible action at the April 25th Voting Meeting.

Mayor Goode invited the applicants to address Council.

Applicant Rebecca Ruffner addressed the Council regarding her family's desire to have something to represent her dedication to the community. She stated that Elisabeth was passionate about many things in her life and particularly about saving our geography and topology in the area.

Mayor Goode commented on all of Elisabeth's achievements and contributions to the community on a number of important issues. Having an opportunity to name a significant location after her is something that is well deserved.

Councilwoman Cantelme commented that this is fitting and thanked the applicants for putting this forward to recognizing her.

Councilmember Rusing stated that the loss of Elisabeth was significant to this community and the opportunity to honor her is important.

Councilman Sischka added that he is all for this.

Member of the public Ruth Anne Norris addressed Council as a representative from Granite Dells Preservation Foundation. She stated that Elisabeth had a long legacy and naming this creek after her would be an honor.

Member of the public Dottie Morris addressed Council regarding how she sees Elisabeth everywhere in this community. She is so deserving of this honor, and the Granite Dells Preservation Foundation is also working on a program to have the state maps updated so this would be official at that level as well.

Member of the public Tom Rusing addressed Council and stated that he is in support of this and stated that Mrs. Ruffner was a hero to him personally.

Member of the public Barbara Jacobsen addressed Council as a longtime resident. She stated that she worked with Mrs. Ruffner on her open space files before her death, and all the information is archived at Sharlot Hall. It was an honor to learn from her and she would love to see another commission related to open space.

Councilman Tenney said this is a beautiful area to be named after a beautiful woman.

This item was for discussion only, no formal action was taken.

B. Discussion Regarding Proposed Amendments to or the Replacement of Prescott City Code 5-9-1 Through 5-9-6.

City Attorney Joseph Young provided a presentation to Council regarding a camping ordinance draft that is before them for review. There will be no vote today but staff needs to get direction regarding what Council wants to see including time and place restrictions, etc. He noted the point in time (PIT) count included in the draft ordinance is one year old.

Mayor Goode commented that in his years of volunteering with the VA he has seen a number of veterans who lived in the forest and is aware that there are a significant number of homeless "residents" in the community. This can be a challenge to the community at large as we have seen in other communities, so it is important to have an enforceable, fair and justified ordinance.

Mayor Pro Tem Montoya commented that he has a number of questions on this matter and is concerned that there is significant exposure for liability to the city with the way the ordinance is crafted now. He feels it is a good idea to address this issue, but the Council has to be conscious of the fact that there are activist groups out there who are waiting for municipalities to make mistakes with these types of ordinances. Additionally, he would like to have the input of organizations that do a great deal to help people in these situations in our community.

Mr. Young responded that enforcing or criminalizing homelessness when there

are no other options has been found to be unconstitutional. At this time, there are not accurate numbers of how many people are unhoused in our community nor how many available beds there are so it is important to have good statistical data before finalizing anything. As the ordinance is currently drafted there is information staff will need to wait for, the draft could also be updated to bring it into compliance regardless of what the current numbers are, for example, permitting or a designated area. It is critical to make sure if the numbers are included they are being regularly updated. He added that, to this point there has not been stakeholder involvement and would like Council input on that.

Mayor Pro Tem Montoya stated that stakeholder involvement is necessary. Councilmember Rusing reminded everyone that this is a controversial topic and this is just a study session. If the Council proceeds they will do so with dignity and compassion for the homeless. Living on the streets is not safe or healthy for the public or anyone else. She feels it would be important to make the Community Outreach Specialist at the Library a full-time position.

Councilwoman Cantelme commented that she is in favor of an ordinance but echoed comments from Mayor Pro Tem Montoya and reiterated the importance of ensuring that the data is up to date. She added that she would like to know how many beds are available. Feels that a pamphlet or leaflet handed out at jails and shelters would be beneficial so they can make the right decisions as they move forward.

Mayor Goode commented that at the moment the community doesn't have a noticeable problem but it is important to make sure that doesn't happen, and that is the purpose in establishing an enforceable ordinance and establishing the scope of the problem.

Mayor Pro Tem Montoya asked if the PIT process has anything to identify the number of children who are homeless as well, and if not, does the school system have anything to track that kind of information. It is crucial to be really humane about how this is done. The people who are unhoused are still people and that must be considered when these decisions are being made. He added that he is curious about the number of man hours that would be associated with any homeless issues in our community.

Mr. Young stated that there are no numbers from the school district and added that the presumption will always be that homeless is involuntary and it would be on the legal department to determine if it is when addressing any prosecution issues.

Councilman Tenney added that this information is tracked carefully by the school district and they reach out families of children who show signs of this and will provide resources to them and could team up with the city to address these issues.

Mayor Goode commented that this is good information to have when considering this type of ordinance, and it is important that the Police Department policies align with any ordinance the Council adopts.

Member of the public Carole Benedict addressed Council urging them not to adopt a strong Ordinance. She is concerned about the negative bias/demeaning nature of this ordinance. Substance abuse and mental health issues are not the cause of homelessness. The Salvation Army Warm Center will be closing in just a few weeks and the community will be losing 30 beds, so this seems particularly cruel. We should be looking out for all citizens, not just those who are fortunate enough to have a roof over their head. This is not a plea to allow people to sleep out, the city already has a ban to address that. SB1585 is before the legislature right now that proposes to give funding to municipalities for these issues and is currently written with a dollar for dollar city match. We need to find real solutions not further law that will criminalize homelessness.

Member of the public Barbara Jacobsen addressed Council and thanked Mayor Pro Tem Montoya for his comments. She expressed that she feels this ordinance is one of the worst things she has seen in a long time, and needed to have someone with more knowledge write something like this. She encouraged staff to start over.

Member of the public Deborah Thalasis addressed Council echoing the last two speakers, and stated that she was disturbed by this ordinance proposal. She asked what the percentage of crimes is committed by homeless people. Decisions like this need to be data driven, and she supports stakeholders and the schools being involved. She added that she is concerned about the portion of the ordinance that addresses camping in someone's yard.

Coalition for Compassion and Justice Representative Allison Lenocker addressed Council and echoed comments about engaging stakeholders in the discussions and encouraged changing some of the language that marginalizes homeless community members. CCJ and the Prescott Police Department have been working closely for years positively and she would like to continue that as it has an impact on homelessness in our community.

Councilwoman Cantelme asked Ms. Benedict if she has any statistics on how many of the homeless in our community are veterans versus addicts coming out of the rehab facilities. There are always a few bad actors and that always impacts how things like this are put together, but she would like to know what the statistics actually are.

Ms. Benedict responded that unofficially there are 113 individuals in the unsheltered count and 20.3% of those were veterans. This is a county number and not specific to Prescott. In the whole of Yavapai County there are 184 shelter/transitional beds, but she does not have the sheltered count for this year as of yet.

Mayor Goode commented that based on those numbers it seems we are not too far off to being able to provide shelter/beds for those that need it so this is much about coordination between the shelters and the police department. In Prescott, PASS, CCJ, and USVets have beds but most are already full. They are constantly working on resources to provide opportunities for the unhoused in our

community.

Mr. Young added that this ordinance is reductive from what the city already has on the books which is very broad and criminalizes any sleeping outside or camping, and is unenforceable. It is time to have this discussion and determine what we need to do and what the biggest issues are that need to be addressed.

Councilmember Rusing thanked the citizens who spoke today, this is a conversation the community should have had a long time ago.

Mayor Goode added that this is just beginning to be discussed and will coordinate with providers in the community to find something that will work for everyone.

Mr. Young stated that he will work with stakeholders and seek more definitive numbers to broaden the scope of our resources.

This item was for discussion only, no formal action was taken.

4. ADJOURNMENT

There being no further business to discuss, Mayor Goode adjourned the meeting at 1:57 p.m.



PHILIP R. GOODE, Mayor

ATTEST:



SARAH M. SIEP, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on March 14, 2023. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

