

City of Prescott

City Council - Voting Meeting

March 14, 2023 | 3:00 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 3:00 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Goode welcomed everyone to the new facility.

Mayor Pro Tem Montoya stated that Public Works Crews will begin striping work, and pothole repair throughout the city beginning on March 15th and will do cinder cleanup during this time as well. He added that Code Compliance is also working with property owners to clear sidewalks of cinders.

In preparation for wildfire season, the City is offering free brush and vegetation debris drop-off for residential trash customers every Saturday in April at the Transfer Station.

Finally, Mayor Pro Tem Montoya announced that the EPA has released it's new PFAS/PFOS standards at 4 Parts per Trillion and will hold public meetings in the coming months for comments.

3. INVOCATION - Pastor Rick Stofan with Pinerock Camp

Councilman Tenney provided the invocation in Pastor Stofan's absence.

4. PLEDGE OF ALLEGIANCE - Councilmember Rusing

5. 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

6. PRESENTATIONS

A. Presentation to Citizens Academy Graduates

Mayor Goode and Councilwoman Cantelme provided a presentation and certificates of completion to the recent graduates of the Citizen's Academy.

B. Recognition of Public Works Streets Staff for Their Efforts During Recent Snow Events.

Mayor Goode provided a recognition to the hardworking Streets staff during the recent snow events and thanked them all for their work keeping the roads clear and safe.

7. OPEN CALL TO THE PUBLIC

None.

8. CONSENT AGENDA

MOTION BY COUNCILMEMBER RUSING TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.F.; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

- A. Approval of Meeting Minutes from the February 28, 2023 Executive Session, the February 28, 2023 Study Session, the February 28, 2023 Voting Meeting and the March 7, 2023 Special Executive Session.
- B. Approval of Acceptance of a Participating Agreement Between the City of Prescott and United States Department of Agriculture (USDA) Prescott National Forest for the Goldwater TSI (Timber Stand Improvement) Project.
- C. Approval to Auction Items at Surplus Auction with Harris Auction.
- D. Approval of City Contract No. 2023-155 with AUI, Inc. for the City's Annual Maintenance Program Utilizing Pipe Bursting in an Amount not to Exceed \$713,606.00. Funding is Available in the Wastewater Fund.
- E. Approval of City Contract No. 2023-163 for the Purchase of Five (5) F-250 4x2 Regular Cabs from San Tan Ford Using State of Arizona Contract CTR059323 Pricing in the Total Amount of \$299,410.98; and Approval of City Contract No. 2023-166 for the Purchase of Two (2) Vehicles from Courtesy Chevrolet, Using State of Arizona Contract CTR059315 Pricing in the Amount of \$106,044.51. Funding is Available in the Airport, Facilities Management, Parks Maintenance, Streets, and Water Operations Fund.
- F. Approval of City Contract No. 2023-154 for the Purchase of Parts and Installation to Upgrade all Self-Contained Breathing Apparatus Equipment from Municipal Emergency Services in an Amount not to Exceed \$63,988.00. Funding is Available in the Fire Department's General Fund.

9. LIQUOR LICENSE

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Theresa June Morse, Applicant, for Salt & Pepper Cafe. Location: 443 Miller Valley Rd.
Business Owner Leon Moise was present and addressed Council regarding the new restaurant. This is an upscale breakfast location which is unique to the area.

Mayor Goode commented that he had the privilege of being the first patron of the location. This is a great addition to our community.

MOTION BY MAYOR PRO TEM MONTOYA TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMEMBER RUSHING: PASSED (6 - 0)

MOTION BY MAYOR PRO TEM MONTOYA TO APPROVE ITEM 9.A.; SECONDED BY COUNCILMEMBER RUSING: PASSED (6 - 0)

10. REGULAR AGENDA

- A. Update Regarding the Mayor's Charter Review Commission.
City Clerk Sarah Siep provided an update and advised Council that the Commission will be present to provide presentation to Council regarding their suggested amendments and ballot language at the Tuesday, April 11 Study Session Meeting.

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

- B. Legislative Update.
Interim City Manager Tyler Goodman provided a presentation to Council regarding the ongoing legislative session and reviewed legislation under review.

- * HB2003 - Corporate Income Tax/Rates
- * HB2061 - Food/Municipal Tax/Exemption
- * HB2401 - TPT/Diapers/Feminine Hygiene
- * SB1063 - Food/Municipal Tax/Exemption
- * SB1089 - Food/Municipal Tax/Exemption
- * HB2518 - Glassford Dells Regional Park Bill to appropriate \$3.5 million on the project
- * SB1011 - Municipalities/Partisan Elections
- * SB1012 - Inspections/Sober Living Homes
- * SB1025 - Political Signs/Tourism Zones
- * SB1103 - Administrative Review/Approval/Developments
- * SB1117 - Municipal Platting/Technical Correction
- * SCR1023 - Charter Cities/Repeal

Councilmember Rusing asked what the rationale behind the charter city revocation is.

Mr. Goodman responded that it is likely because of municipal elections, which has been an issue in the past.

Councilwoman Cantelme asked if this was at all related to the Home Rule Designation that we also have.

Mr. Goodman responded that it does not, but the legislature typically pushes against local control.

Mayor Goode commented that this is a dangerous precedent for the state to set.

Mayor Pro Tem Montoya asked if this would be placed on a ballot measure for a vote.

Mr. Goodman confirmed.

Member of the public Steven Gerard addressed Council regarding charter cities and the city's ongoing Charter Review.

City Attorney Joseph Young cautioned the speaker regarding staying on agenda topic.

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

- C. Adoption of the 2023-2028 Fire Department Strategic Plan.
Fire Chief Holger Durre provided a presentation to Council regarding the proposed 2023-2028 Strategic Plan.

Key Messages to New Plan:

- * Innovation and prioritization need to blend with traditional solutions to overcome a significant gap in current capacity
- * Built on a logical flow that measures the impact of allocated resources on residents
- * Fire department budget structure has been adjusted to reflect key plan elements

Key Planning Assumptions:

- * Department and City are at a crossroads due to community growth, increased service demand and rising costs
- * Department ability to keep up with demand is beyond capacity and planning has become reactive
- * More complex policy environment
- * Delivery of public safety services is a primary function, community issues are wide ranging
- * Solutions require collaboration, prioritization and innovation

Mayor Goode commented on the need for additional fire stations in the future and the importance of identifying needs and budgeting strategically.

Interim City Manager Tyler Goodman commented on how amazed he was at the measured and thoughtful work that went into putting this plan together. He thanked Chief Durre for approaching the Council with measurable outcomes that will be impactful to how the department is run moving forward.

Mayor Pro Tem Montoya thanked Chief Durre for putting this together and stated that he appreciates how much of this is data driven would love to see more of this from other Departments as well.

Councilmember Rusing thanked staff for such a visionary plan, this can has been kicked down the road for many years. She expressed her support for the plan.

Councilwoman Cantelme expressed her support for this plan and the department

as well, she is happy to see that this is getting started.

MOTION BY MAYOR PRO TEM MONTOYA TO APPROVE 2023-2028 FIRE DEPARTMENT STRATEGIC PLAN; SECONDED BY COUNCILMEMBER RUSING: PASSED (6 - 0)

- D. Approval of the Movement of Five (5) Firefighter Positions in the FY23 Budget Funded from a Grant to be Funded by the General Fund.

Fire Chief Holger Durre provided a presentation to Council regarding the movement of positions previously funded by SAFER grants that were not approved for an additional period of time and will need to be funded through the General Fund, adding that they would also like to move forward with additional SAFER grant funding applications with Council's approval. The department will immediately begin the process of filling these positions if approved today. Currently, he has been unable to staff the department without going into force hiring and these positions reduce the risk of brown outs and allow the department the flexibility to appropriately succession plan.

Supporting Factors:

- * Force Hire instances approaching 100 annually
- * Roughly 75% of line firefighters carry program management responsibilities with no support
- * ISO rating increases at CAFMA
- * Opportunities for errors and mistakes have increased

Chief Durre added that the current ISO rating is two (2), these numbers are used as a modifier in applications for insurance, etc. and can be impacted by response times, etc. The goal is to have a lower ISO as increases impact our citizens.

Key Result Measures Impacted:

- * Beginning in FY23 the department will strive to achieve a 3% year over year reduction in effective response force response times to incidents
- * By the end of FY25 one new strategically located station will be staffed and operational
- * Beginning in FY23, the Prescott Fire Department injury rate will be reduced by 3% year-over-year

The anticipated impact on the budget is as follows: \$100,000 from general fund for balance of the current fiscal year; and an annual impact of \$480, 000 beginning in FY24. Chief Durre added that staff would also like direction from Council regarding an application for a new SAFER Grant to fund positions.

Councilman Tenney commented that he is in favor of more firefighters and a safer community, but he is curious what this would mean for the general fund.

Finance Director Mark Woodfill responded that this was not budgeted in the original budget, revenue is coming in stronger than expected, so service levels for this fiscal year will cover that portion. However, moving forward the determination must be made by Council if these firefighter positions are a priority as approving this would impact other requests that have been submitted but it will

be based on revenue projections. There will not be room for everything submitted this year, but we are not proposing to fill all eight of the formerly SAFER grant funded positions. He added that this will not reduce any service levels that exist today.

Councilwoman Cantelme asked staff to address how these positions would impact the estimates on overtime presented by Chief Durre.

Chief Durre responded that it should have a positive impact. However, he wouldn't wager a guess on the specific rate or dollar amount.

Mr. Woodfill added that a reduction in overtime would certainly be helpful but the figures provided are not the full cost of overtime pay. All of our departments try to do the most with what they have, so he would anticipate seeing that go down, but it is unrealistic to think we would be able to drop it down to the lowest level it has been at.

Councilman Sischka asked what the staff level in 1995 was versus today, The city's population today is over 46,000 which is much higher than it was then.

Chief Durre said it was 45 at that time and concurred that we haven't kept up or increased in a manner that meets the increase in population. He added that our daily average population when you consider tourist, workers etc. is over 100,000.

Councilmember Rusing asked about the SAFER grant, and why the department did not receive this most recent one.

Chief Durre responded that the department was not provided with feedback regarding why they did not receive the grant funding at this time, however, they are aware of some changes that will help enhance future applications for consideration and will incorporate that into this year's application.

Mayor Pro Tem Montoya commented that he does support this but has concerns with presenting outside the budget order. However, he recognizes that this is an urgent need for the department.

Chief Durre commented that he recognizes that and feels that collaboration is important and wants to make sure that it is addressed so everyone is getting what they need and this is a desperate need.

Mayor Goode commented that it is important for everyone to remember the danger this community is in when there is a serious wildfire concern and taking these steps is critical.

MOTION BY COUNCILMEMBER RUSING TO APPROVE THE MOVEMENT FIREFIGHTER POSITIONS TO THE GENERAL FUND; SECONDED BY COUNCILMAN TENNEY: PASSED (6 - 0)

MOTION BY COUNCILMEMBER RUSING TO APPROVE THE APPLICATION FOR SAFER GRANT FUNDING; SECONDED BY COUNCILMAN TENNEY:

PASSED (6 - 0)

- E. Approval of City Contract No. 2023-145 with Cactus Asphalt for the FY23 Multi-Layer Pavement Preservation Project in an Amount not to Exceed \$1,550,000.00; and Approval of Night & Weekend Work. Funding is Available in the Streets Fund and Recreation Services Fund.

Capital Program Manager Tim Sherwood provided a presentation to Council regarding the proposed project. This will cover Longview Estates, Spire Drive and Tower Road, Willow Creek Road (Green to Willow Lake), Whipple Curve, Granite Creek Park (funded by Parks Department), Arizona Avenue area, Robinson Drive, Copper Basin South to the County Line up to Mountain Club area. These are considered Pavement Preservation Methods, cost effective and will increase pavement index ratings and treat 34 total lane miles.

Mayor Goode asked how much work Cactus Asphalt has done for the city.

Mr. Sherwood responded they have done several projects over the last few years, particularly with this type of work.

Councilman Tenney thanked staff and commented that while we have streets that may be in worse condition than these, this is a cost effective way to handle our streets. He asked if night/weekend work would be limited to Willow Creek.

Mr. Sherwood confirmed that Willow Creek should be the only area where that is needed.

MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2023-145; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

MOTION BY COUNCILMAN TENNEY TO APPROVE NIGHT/WEEKEND WORK; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

- F. Approval of City Contract No. 2023-152 with Southwest Slurry Seal LLC for the FY23-24 Prescott Lakes Parkway Microsurfacing Project in an Amount not to Exceed \$1,500,000.00, Utilizing the City Standard Cooperative Contract. Funding is Available in the Streets Fund.

Capital Program Manager Tim Sherwood provided a presentation to Council regarding the proposed project Prescott Lakes Parkway to Hwy 89 and including Smoke Tree/Lakeview and portions of the Eagle Ridge Subdivision in several areas. The project will help to preserve underlying pavement and will also include micro milling. This is also a cost-effective treatment for approximately 20 lane miles.

Mayor Goode asked Tim to address work of Southwest Slurry.

Mr. Sherwood responded they are a specialty contractor and this is what they do. Staff has had good experience with them in the past.

MOTION BY COUNCILMEMBER RUSING TO APPROVE CITY CONTRACT NO. 2023-152; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

- G. Approval of City Contract 2023-157 with Asphalt Paving & Supply, Inc. for

Construction of the Budsage Court Paving & Drainage Improvements in the Amount of \$299,998.98. Funding is Available in the Streets Fund.

Capital Projects Manager Tim Sherwood provided a presentation to Council regarding the proposed project, this is a cul-de-sac in Yavapai Hills that is in need of drainage repairs. Continuing issues on the east side of the road and in heavy rain events, water is running into garages and this will address that issue/fix curb and asphalt in the area.

Mayor Goode asked if this is the area where curb is separating from the roads.

Mr. Sherwood said it is not that area.

Councilmember Rusing asked if there is a plan to notify the neighbors and keep them up to date on this project.

Mr. Sherwood said PR is built into the contract and staff has already had conversations with the residents as well.

MOTION BY COUNCILMEMBER RUSING TO APPROVE CITY CONTRACT 2023-157; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

- H. Approval of City Contract No. 2023-162 with Combs Construction Company Inc. for the Misc. Concrete Project (Pleasant Street Curb & Gutter Replacement) in an Amount not to Exceed \$762,389.02 Utilizing the City Standard Cooperative Contract. Funding is Available in the Streets Fund.

Capital Projects Manager Tim Sherwood provided a presentation to Council regarding the proposed project which will take place in several locations including Pleasant Street (1200 linear feet of work) which must be done prior to pavement repair, the new City Hall alley east of new facility (new driveways at Willis/Sheldon Street and widening entrance), and Prescott Heights repairs.

Mayor Pro Tem Montoya asked staff to elaborate on improved access here at Montezuma Street.

Mr. Sherwood responded that the driveway would be widened off of Willis, to the south of the entrance off the alley, additionally improvements will be done into the alley. From the alley onto Sheldon Street it will remain right turn only but the curb will be improved and two-way access to Willis Street will be added.

Councilman Tenney asked if the contractor ever bills for less than the not to exceed amount.

Mr. Sherwood responded these are there for contract contingencies.

Councilmember Rusing stated that a member of the public contacted council and suggested that the alley be kept one-way to allow for parking.

Mr. Sherwood responded that staff is tied by the available right of way in the alley and there are large APS cabinets that would be impacted in that area as well so that isn't really feasible.

Councilman Sischka commented that when he tries to turn into the parking lot the area is really tight and asked if there is a way to address that.

Mr. Sherwood said the only way to do that would be to widen to the north toward the intersection. Staff have looked at this and batted around a few different concepts/options, but long-term looking at probably moving the driveway closer to the building might be the best bet.

Mr. Goodman added that potentially looking at adding in some striping could be helpful as well which he has discussed with staff.

MOTION BY COUNCILMEMBER RUSING TO APPROVE CITY CONTRACT NO. 2023-162; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

- I. Approve a Notice of Intent to Change Bulk Water Dispensing Station Rates & Set Public Hearing on the Same.

Deputy Finance Director Lars Johnson provided a presentation to Council regarding a proposed increase to the Bulk Water Dispensing Station.

Location Details:

- * Located at 535 EX Street
- * Two fill stations, one for commercial and one for residential
- * Upgrades are underway to the dispensing equipment - allowing for precise amounts of fillip/reduce waste, replace the timeworn coin-operated system, moves all financial transactions to a web-based system

Rates:

- * Current - \$5.27 per 1000 gallons
- * Proposed - \$14 per 1,000 gallons
- * Rate recommendation is based on a cost of service study - cost of production uses the established rate of 2" water meters in the second tier based on usage at station plus additional required dispensing equipment and maintenance; use four fiscal year average of water sold to calculate the rate needed for the revenue to cover these costs
- * City is currently the least expensive and this increase would put us in approximately the middle of comparable markets in the surrounding areas

Schedule of Events:

- * March 15 - post Notice of Intent
- * April 23 - deadline for report supporting new rates
- * May 3 - deadline to publish a notice of intent in newspaper
- * May 23 - public hearing on rates and adoption by Council
- * July 1 - effective date of fee increase

Councilmember Rusing asked if this is used for water outside the city limits.

Mr. Johnson responded that these haulers would likely be outside of the city who fill their tanks and take them home, there are also commercial companies that fill up and take them to residents.

Councilwoman Cantelme commented that homeowners and commercial would

be the primary users of this service and noted this increase is three times as much and asked if there was any consideration for a tiered increase rather than all at once.

Mr. Johnson responded that the construction companies use a hydrant which is different than this service. There is a cost to the city in providing this water and this covers that as well as being competitive in the market. The new system allows for tiered rates, which is very complex and, in addition, it is not practical to have one rate for commercial and one for residential.

Mayor Goode commented that the current rate is extremely low and there was a great deal of waste involved. It is high time that this be brought up to date.

Finance Director Mark Woodfill added that the tiered rate doesn't work, the city is a public/water utility and this is an option for people to purchase their water elsewhere. The city needs to cover the costs of upgrades to the system and these are generally non-city citizens who should be paying the 30% upcharge on the water as well.

Councilman Tenney commented that it appears we have been undercharging on this for some time.

Councilmember Rusing asked how many acre feet (AF) per year we are supplying for this and if it should be included in the water budget.

Deputy Public Works Director Gwen Rowitsch responded that we use approximately 7 AF/year from this and it is not budgeted for but it is included in the city's annual reporting.

Councilman Sischka stated that this rate is much less than what our citizens pay for water as well.

Mayor Pro Tem Montoya stated that the Council is subsidizing citizens outside city limits and also commercial water haulers. They are doing quite well.

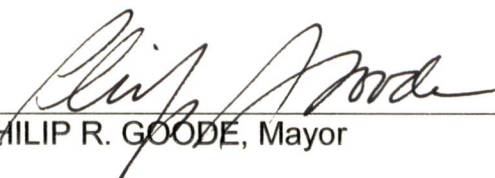
Councilmember Rusing added that the city does not have to provide this service.

MOTION BY COUNCILMEMBER RUSING TO APPROVE BULK WATER DISPENSING STATION RATES & SET PUBLIC HEARING FOR MAY 23; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (6 - 0)

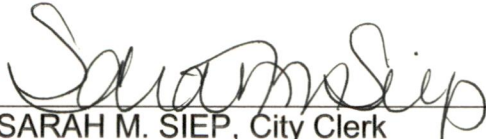
11. ADJOURNMENT

Quote: "We in America do not have a government by the majority. We have a government by the majority who participate. All tyranny needs to gain a foothold is for people of good conscious to remain silent." - Thomas Jefferson

There being no further business to discuss, Mayor Goode adjourned the meeting at 5:08 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

