



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING MINUTES

TUESDAY, DECEMBER 14, 2021, 3:00 PM

201 S. Cortez Street
Prescott, AZ 86303
City Council Chambers

Phil Goode, Mayor

Cathey Rusing, Mayor Pro Tem

Brandon Montoya, Councilman

Eric Moore, Councilman

Jessica Hall, Councilwoman

Steve Sischka, Councilman

Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON DECEMBER 14, 2021, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

Mayor Goode called the meeting to order at 3:00 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Rusing commented that the Deputy City Clerk Jennifer Wiita just earned the SOS Elections Official Certification. And added that Prescott's Arizona's Christmas City events are in full swing and the Courthouse looks beautiful. She thanked all of the participants who put the events on and support the community.

Mayor Goode removed the lightbar from the podium, and stated that time will continue to be monitored but the light bar is being retired.

3. INVOCATION - Pastor Matt Kottman with Solid Rock Christian Fellowship

4. PLEDGE OF ALLEGIANCE - Mayor Goode

5. ROLL CALL

Phil Goode	Mayor
Cathey Rusing	Mayor Pro Tem
Jessica Hall	Councilwoman
Brandon Montoya	Councilman
Eric Moore	Councilman
Steve Sischka	Councilman
Clark Tenney	Councilman

6. PROCLAMATIONS - Yavapai Big Brothers Big Sisters 50th Anniversary December 31st

Councilman Tenney presented the Proclamation.

7. PRESENTATIONS - Update from Yavapai Big Brothers Big Sisters

Executive Director Erin Mabery provided a presentation to Council regarding the 50th anniversary of the organization and their ongoing efforts to intentionally match for mentoring relationships which last for at least one year (average is over four years). Partnering with local businesses to expand relationships and develop work force skills for local youth. Power of Mentoring Symposium at YC on Feb. 26th and Bowling will be back in April as well.

Councilman Sischka said it is nice to see the organization back up and running.

Mayor Goode concurred and thanked them for their contributions to the community.

8. CONSENT AGENDA

Items listed on the Consent Agenda may be enacted by one motion and one vote. If discussion is required by members of the governing body, the item will be removed from the Consent Agenda and will be considered separately.

MOTION BY COUNCILMAN TENNEY TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.F., EXCLUDING 8.E.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- A. Approval of Minutes from the November 23, 2021 Voting Meeting.
- B. Approval of City Contract No. 2022-126 with the Yavapai-Prescott Indian Tribe for Distribution of Annual Gaming Funds to Local Non-Profits.
- C. Approval of City Contract No. 2022-121 for the Purchase of Innovyze Software, Info Water Pro License, for the 2021 Water and Wastewater Model Update Project in the Amount of \$25,680.78. Funding is Available in the Water Fund.
- D. Approval of Acceptance of Governor's Office of Youth, Faith and Family, STOP Violence Against Women Grant Program in the Amount of \$180,000.00 (R.F.G.A. No ST-WSG-20- 010121-00; Contract No. ST-WSG-20-010121-08 Y2); and Approval to Add Two (2) New Grant Funded Detective Positions to the City's Job Roster.

- E. Approval of City Contract No. 2022-125 for the Purchase and Installation of a New Security and Surveillance Camera System in the Granite Street Parking Garage in the Amount of \$236,687.81 Utilizing State of Arizona Contract ADSP016-141513 Pricing. Funding is Available in the General Fund.

This Item was pulled from the Consent Agenda by Mayor Pro Tem Rusing and Councilman Montoya for further discussion.

Councilman Montoya asked for additional information regarding the vendor selection process and what time saving will be experienced with these upgrades. He also asked about how many situations the Police Department has had to address in the parking garage.

Deputy Chief Jon Brambilla responded that this project goes back to 2019 when it was identified that the current system was outdated and failing making investigation of crimes difficult. Discussed with IT and Facilities Departments, there were two current vendors that are used through State Contracts specific to these types of systems. They came out and did site surveys, etc. Currently only one employee has access and responsibility to the system, it is not monitored live and have to go back and research without search capability. New system allows searching robustly which will save a lot of time. Livestream will go into Regional Communications Center which is staffed 24/7 and will solve blind spot issues as well. Since 2019 there have been more than 200 calls, which range from people getting locked out to assaults.

Mayor Pro Tem Rusing expressed her support for the new system and hopes it is more of a deterrent to crime because of live broadcasting. She also asked if there will be signage regarding the recording.

Deputy Chief Brambilla confirmed, there will be signage.

Councilwoman Hall thanked staff for looking into this and said she feels it will be amazing for the parking garage area. She asked if this new system will cover the alley behind Whiskey Row as well.

Deputy Chief Brambilla responded they will be able to see the majority of the alleyway with the system.

Mayor Goode added that the current system has been in operation for nine years so this is almost an equivalent cost to that with expanded capability.

MOTION BY COUNCILMAN MONTOYA TO APPROVE ITEM 8.E.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- F. Approval of City Contract No. 2022-124 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 Grant Fund.

9. REGULAR AGENDA

- A. Approval of Resolution No. 2021-1804 Approving City Contract No. 2022-120 an Intergovernmental Agreement with the Town of Chino Valley Allowing for Mutual Asset Sharing.

Deputy Public Works Director Gwen Rowitsch provided a presentation to Council regarding the IGA to share assets from equipment to personnel with the Town of Chino Valley. Our staff recently assisted the Town when they had a death and needed assistance in their treatment plant. Entering into this agreement will make that type of mutual assistance easier. Cost reimbursement for sharing of these assets and the agreement also contemplates sharing of the WRMM, will allow for use of their utility billing records to review water consumption in the Town. We share an aquifer and will help with long term planning of water resources. This is for a period of 25 years with 60-day termination clause.

Mayor Pro Tem Rusing asked for a specific definition of "in times of emergency" in the agreement and if there will there be an exhibit in the contract showing where the service area is. She added that she would like to decrease the time of the agreement.

Ms. Rowitsch commented that it would be something unexpected or unplanned when one agency has expertise and can assist. Agreement contemplates the corporate limits within the Town, so it would include anywhere their system is and would likely grow over the years.

Interim City Attorney Matt Podracky addressed the 60-day termination clause and stated that this would be a good option for either party to cancel the agreement if they chose to do so.

Councilman Montoya commented that this is a good example of regional cooperation, and he feels we should be willing to share our tools. He asked staff about the indemnification in the agreement.

Mr. Podracky said he is perfectly comfortable with the mutual indemnification within this agreement.

Mayor Goode commented that he had concerns regarding how an emergency is defined, and he would like contact to be modified to be the City Manager for us and Town Manager for Chino Valley. He added that he feels the length of the agreement is too long and should include a sunset clause, more appropriate to have a shorter term and can amend to address any unintended consequences when it is renewed. Would like to reduce the term to 10 years with an option for renewal upon mutual agreement.

Ms. Rowitsch said the revision of the point of contact can be made without issue.

Mr. Podracky added that the agreement can be amended at any time if mutually agreed upon. IGA statute allows for up to 25 years which is typically the term of them.

Mayor Goode read a letter from Town of Chino Valley Mayor Jack Miller, the relationship has been strained in the past and he sees this IGA as an opportunity to address that and move forward and requested that Council approve the agreement.

Councilman Sischka commented that this is a matter of trust between the communities and the term is a show of support in the long term for assistance to the Town of Chino Valley.

Mayor Pro Tem Rusing stated that ten years is a reasonable amount of time and as this is a new relationship.

Ms. Rowitsch commented that the contract with Herb Dishlip on the WRMM will have the fourth scenario of the system passed through to the Town of Chino Valley. \$150/hr for likely approximately \$10,000 cost to the Town.

City Manager Michael Lamar added that there is benefit to us to understand how water is being used regionally and this is a huge first step in regional cooperation with regard to water.

Mayor Pro Tem Rusing asked about water served in Chino Valley by the City of Prescott.

Public Works Director Craig Dotseth said that there are 600-700 customers in that area served at this time charged the 30% surcharge, mostly commercial and some residential.

Mr. Podracky added that the City Manager has discretion as to what is an emergency or not.

Councilwoman Hall asked if city legal drafted the agreement and is comfortable with it.

Mr. Podracky confirmed and added that our legal department is very comfortable with the agreement. This is a good faith approach at regional cooperation.

Mayor Goode commented that a shorter-term agreement will allow the parties to assess how well everything is working.

Councilman Sischka stated that this is a matter of trust between communities, in the past the distrust has been an issue and this is a good way to project our willingness to work with them on a long term basis.

MOTION BY COUNCILMAN SISCHKA TO ADOPT ITEM 9.A.; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].

- B. Approval of RVP21-020, a Revision of Plat for The Preserve at Prescott Phase 4B, Revising the Number of Lots, the Size and Dimensions of Lots, and the Alignment of Cumberwood Court.

Planning Manager George Worley provided a presentation to Council regarding the plat revision. Subdivision originally in the city beginning in 1988 under a different name and has evolved several times over the last several decades. This will be the last phase of the Subdivision which is south of Iron Springs Road. Previously the lot layouts didn't take topography into account so has addressed that through re-plats to reduce much of the impact on individual lots. Any lost lots were shifted into Phase IV of the development by Council in 2011. This revision will reconfigure roadway to allow for lost lots, allowable in city code and within the open space available. Twenty-one lots are available for him.

Mr. Worley reviewed how staff reviews revisions of plat and why they would or would not come before Council for approval. For this particular plat revision the reason is:

- * Any revision or replat involving dedication or abandonment of land for a public street/public easement/other public rights of way
- * Any change in lot lines in a recorded subdivision provided however that changes in lot lines which result in only nominal increases or decreases of lot sizes may be administratively approved

Summary:

- * Original plat was ground water subdivision (1988)
- * Original plat contained 144 lots
- * Sequential Revisions to Phases I-III reduced number of lots by 21
- * Council shifted lost lots into Phase IV
- * Proposed revision recovers only 13 lots
- * Phase IV total is 19 lots (original 6 plus recovered 13)
- * Lot total is 136

Councilman Montoya asked staff to address how they determine "nominal". Sounds like this will conform to what the original master plan was and giving the developer back.

Mr. Worley responded that this is entirely subjective, staff bases it on significance of impact on the development and infrastructure. He confirmed that as the developer was taking the topography into account with the revisions, there is a benefit to allowing the lots condensed into an area where there was less impact to the terrain.

Mayor Pro Tem Rusing commented that the 8 lots that are not being developed what is going to happen to them. She asked if the developer used ductile iron.

Mr. Worley responded that there is no way to place the lots so it will result in a decrease. Each one is a single family home on its own lot.

Public Works Director Craig Dotseth commented that this developer used ductile iron before it was the city's requirement.

Councilwoman Hall thanked staff for explaining the process, and asked staff to address what Council would review/approve versus what was already granted to him.

Mr. Worley commented that Council is now reviewing the plat, this is an unusual process and what Council would review because the developer did things in a different way to address the topographical issues etc. Council's agreement to allow that as long as it didn't exceed the original allotment of lots and shifting of lots for the acquisition of open space for trail heads. Allowed for negotiations to exceed just shifting of the lots in that way.

MOTION BY COUNCILMAN TENNEY TO APPROVE ITEM 9.B.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- C. Adoption of Ordinance No. 2021-1785 Authorizing the Acceptance of a Real Property Gift Agreement from Burro Creek LLC.

Recreation Services Director Joe Baynes provided a presentation regarding the easement which will provide access to the very popular Centennial Trail. Minimum open space was 30 acres and this will be about 34 acres. This is a donation from developer Tom Devereux, which the City has leased at \$1/year for approximately six years. He has been a good partner and this is a unique trail for the public. Appraised value of the lot is \$210k.

Councilman Moore asked who owns the property to the right of the parcel.

Mr. Baynes responded that it is part of the RV storage.

Councilman Sischka commented that this is wonderful and asked how developed the parking area is going to be.

Mr. Baynes responded that minimal work will be done, perhaps additional millings in the future but that will likely be all.

Mayor Pro Tem commented that she would like to see more items like this.

MOTION BY COUNCILMAN MOORE TO ADOPT ITEM 9.C.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- D. Approval of RVP21-021, a Revision of Plat for 1567 Buttermilk Road to Split One (1)

Lot into Two (2) Lots. Location: APN 111-07-031B. Property Owner: Chad and Kelly Dougan.

Community Development Director Bryn Stotler provided a presentation to Council regarding the proposed replat. This is a historic plat from 1909, it is a very rural area that has seen a number of replats and splits over the years. This proposal will re-divide the lot into two, they were previously two then were combined/reconfigured which predated zoning regulations. This revision is before Council because it is not a nominal change and divides two-acre parcels into one acre parcels and cannot be administratively approved. No changes to access or easements.

Mayor Pro Tem Rusing asked if these properties are on septic.

Public Works Director Craig Dotseth said that many of them are on septic in that area.

Mayor Goode asked how there is access to these two parcels. He asked what the intention is of the property owner.

Ms. Stotler responded that they access through driveway easements which is primarily the case in that area. They did not offer that information and they don't need to as private property owners.

MOTION BY COUNCILMAN TENNEY TO APPROVE ITEM 9.D.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- E. Approval of RPT21-010 a Revision of Plat for 516 Lincoln Avenue to Split One (1) Lot into Two (2) Lots. Location: APN 113-08-097. Property Owner: Viking Real Estate Investments LLC.

Community Planner Tammy Dewitt provided a presentation to Council regarding the proposed split of a parcel. Zoned multi-family medium density, splitting is not permitted under the administrative process and needs to be approved by Council. This area has been split and recombined over the years. There is a variety of size lots in the area. Original plat from 1907. Already developed to meet the setback requirements and have applied for new sewer and water connections to the property. Criteria for revision of plat: increase in density in the area and changes lot lines.

Mayor Goode asked if there are currently two homes on the lot.

Ms. Dewitt responded that there are which is allowed by zoning and this is simply a lot split.

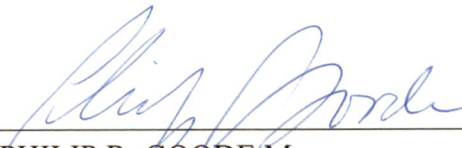
MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 9.E.; SECONDED BY COUNCILMAN TENNEY: PASSED [7 – 0]

10. ADJOURNMENT

Quote: "We in America do not have a government by the majority, we have a government by

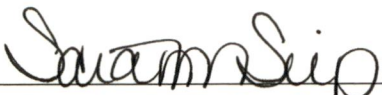
the majority who participate. All tyranny needs to gain a foothold is for people of good conscious to remain silent." - Thomas Jefferson

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:30 p.m.



PHILIP R. GOODE Mayor

ATTEST:



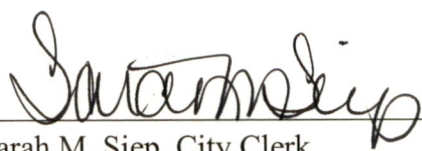
SARAH M. SIEP, City Clerk

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 December 14, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 23 day of December, 2021.





Sarah M. Siep, City Clerk