



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, NOVEMBER 22, 2022, 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

Connie Cantelme, Councilwoman
Steve Sischka, Councilman
Clark Tenney, Councilman

The following Agenda will be considered by the Prescott **City Council Voting Meeting** at its **Voting Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of the meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending the meeting through the use of a technological device.

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [Live Prescott City Council Videos](#)

Or via Zoom by registering in advance: [Zoom Registration Link](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

1. **CALL TO ORDER**
2. **INTRODUCTIONS / ANNOUNCEMENTS**
3. **INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist**
4. **PLEDGE OF ALLEGIANCE - Councilman Montoya**
5. **ROLL CALL**
6. **PROCLAMATIONS - Small Business Saturday | November 26**
7. **OPEN CALL TO THE PUBLIC**

The City of Prescott welcomes public engagement and residents may comment & address Council on matters NOT included on the Agenda during the Call to the Public. Please complete a green speaker card and submit it to the City Clerk prior to the meeting being convened. Speakers are limited to four (4) minutes, and the Call to the Public will be limited to forty (40)

*minutes in total. Please Note: Pursuant to A.R.S. §38-431.01(H), members of the Council may **NOT** discuss items that are not specifically identified on the Agenda and, therefore, interaction will be limited to the following:*

- 1) Responding to criticism*
- 2) Requests to staff to investigate & report on the matter*
- 3) Request that the matter be scheduled on a future agenda*

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.

Recommended Action: MOVE to approve Consent Agenda Items 8.A. through 8.G.

- A. Approval of Minutes from the November 8, 2022 Executive Session, the November 8, 2022 Study Session, and the November 8, 2022 Voting Meeting.
- B. Approval of Appointments of Ted Gambogi as Chair and Terry Sapio as Vice-Chair for the General Plan Review Committee.
- C. Approval of City Contract No. 2023-087 with Precision Concrete Cutting, Inc. for the FY23 Sidewalk Trip Hazard Elimination Project, in an Amount Not to Exceed \$50,000.00. Funding is Available in the Streets Fund.
- D. Approval of City Contract No. 2023-103 with Arizona Emerging Tactical Solutions for the Purchase of Three (3) L3 Harris Binocular Night Vision Devices for SWAT Explosive Breaching. Funding is Available in the General Fund.
- E. Approval of City Contract No. 2023-094 with Empire CAT for City-Wide Generator Maintenance & Repair, Utilizing Sourcewell Contract No. 120617-CAT in the Amount of \$120,520.00 Annually. Funding is Available in the Fleet Maintenance Fund.
- F. Approval of City Contract No. 2023-105 for the Purchase of Fire Department Personal Protective Equipment (Turnouts) from LN Curtis & Sons Using the Unit Rate Set Forth in the NPPGov Contract #PS20060 Pricing in the Amount of \$3,456 Each. Funding is Available in the Fire Department General Fund Budget.
- G. Approval of City Contract No. 2019-069A39, an Amendment to City Contract No. 2019-069 with Dibble for On-Call Engineering and Planning Services at Prescott Regional Airport in an Amount not to Exceed \$100,000.00. Funding is Available in the Airport Fund.

9. LIQUOR LICENSES

- A. Public Hearing and Consideration for an Acquisition of Control Series 12 Restaurant Liquor License Application from Amy S. Nations, Applicant, for Lucy Dees. Location: 669 E Sheldon Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 212105 for an acquisition of control Series 12 restaurant liquor license application for Lucy Dees. Location: 669 E Sheldon Street

- B. Public Hearing and Consideration for a Location Transfer Series 6 Bar Liquor License Application from Amy S. Nations, Applicant, for Espire Sports. Location: 3400 Gateway Boulevard.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 213493 for location change Series 6 Bar liquor license application for Espire Sports. Location: 3400 Gateway Boulevard

10. REGULAR AGENDA

- A. Appointment of Mayor Pro Tem.

Recommended Action: MOVE to nominate and designate a Mayor Pro Tem to serve from November 22, 2022 through November 28, 2023

- B. Adoption of Resolution No. 2022-1842 Regarding an Updated Council Policy for Membership on City Boards, Commissions & Committees.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, REPEALING RESOLUTION NO. 4113-1223 WITH REGARD TO COUNCIL POLICY ON MEMBERSHIP ON BOARDS, COMMISSIONS AND COMMITTEES (BCCs) AND ADOPTING A NEW POLICY ON MEMBERSHIP ON BCCs

Recommended Action: MOVE to adopt Resolution No. 2022-1842

- C. Adoption of Ordinance No. 2022-1809 Approving a Code Amendment Allowing a Hearing Officer Process for Property Maintenance Violations.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE VII, CHAPTER 5, SECTION 20 (7-5-20: CIVIL ENFORCEMENT), BY DELETING THE EXISTING SECTION 7-5-20 IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 7-5-20; AND ADDING SEVERANCE AND PENALTY PROVISIONS

Recommended Action: MOVE to adopt Ordinance Number 2022-1809

- D. Approval of RVP22-007, a Revision of Plat to Split Lot 364R into Two Parcels & Create an Ingress/Egress/Utility Easement to and Through Lot 364R to the New Parcel. Location: APNs 111-07-079, 111-07-080 and 111-07-081. Site Zoning: SF-9 (Single Family).

Recommended Action: MOVE to approve RVP22-007

11. ADJOURNMENT

EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ m. in accordance with the statement filed by the Prescott City Council with the City Clerk



Sarah M. Siep, City Clerk