



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING MINUTES

TUESDAY, OCTOBER 25, 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

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON OCTOBER 25, 2022, 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 welcomed Deputy Finance Director Lars Johnson to city staff. She added that Community Center will host a Community Health Fair on Friday, October 28 from 9 am- 4 pm with free health screenings available.

As a reminder from the Yavapai County Elections Department - the County is working with the Yavapai County Sheriff's Department to ensure the election is secure and safe. Please respect the 75ft Arizona law prohibiting electioneering and disturbance of voters. This perimeter applies to ballot drop boxes and polling locations. The Prescott ballot drop box location is located at the County Administration Office on Fair Street. Election Day is Tuesday, November 8.

3. INVOCATION - Rabbi Susan Schanerman with Temple B'rith Shalom

4. PLEDGE OF ALLEGIANCE - Mayor Pro Tem Rusing

5. ROLL CALL

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

6. PRESENTATIONS

A. Guns & Hoses Golf Tournament Proceeds Presentation

Sherri Hanna provided a presentation and presented a check to Police and Fire Chiefs from the tournament and sponsorships.

B. Friends of Jersey Lilly - Annual Courthouse Lighting Fundraiser Events Presentation

Josh Makrauer Jersey Lilly owner provided a presentation regarding the Friends of Jersey Lilly and their annual Courthouse Lighting fundraising events. Last year the event raised more than \$50,000 to help fund the event. Online events kick-off Sunday, October 30 and runs for eight days and the auction event will be held Thursday, November 3rd. Visit friendsofjls.com for more information.

7. OPEN CALL TO THE PUBLIC

A. Ralph Hess commented that if Council's goal is to improve transparency and public participation at Council meetings there are a few additional items to be considered and suggested the following: 1. On the consent agenda, invite the public to have input as to what is removed and allow for discussion. This is something the Board of Supervisors does. He asked who sets the consent agenda and what basis is used to decide what is place on it. 2. Have an identical Study and Voting Session meeting agenda so that does not appear that Council has already made a decision before public comment is received. For example, the first time Council is hearing an issue should not be at a Voting Meeting.

B. Elaine Garley stated that she represents the 106 residents that have signed a petition who live on both sides of Senator Highway regarding a crosswalk with flashing lights requested near Haisley. There are blind curves North and South of this area, and speeding vehicles. She thanked Sgt. Nathan Bartow for helping with recent patrolling and speed signs and noted that her email request was received by Ian Mattingly. Ms. Garley encourages Council to drive up Mt Vernon, turn left on Haisley and drive the route discussed.

C. Lucinda Grant commented that she is concerned about the local water quality issues and shared some ideas for how to alleviate the problems. She suggested closing the Airport wells and spraying less pesticides and herbicides by doing more mowing and hoeing. She also suggested using dowsers to find water for our area.

8. CONSENT AGENDA

MOTION BY MAYOR PRO TEM RUSING TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.F.; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0].

A. Approval of Minutes from the September 27, 2022 Executive Session, the September 27, 2022 Study Session, the September 27, 2022 Voting Meeting, and the October 11, 2022 Voting Meeting.

- B. Approval of Acceptance of Grant Funds from the US Department of Justice, Bureau of Justice Assistance Grant (JAG) in the Amount of \$14,284 to be Used for the Purchase of SWAT Safety Equipment.
- C. Approval of City Contract No. 2023-081 for the Purchase of One 2024 Freightliner 114SD 6x4 Plow Truck from Freightliner of Arizona Utilizing Arizona State Contract No. CTR0410810 Pricing, in the Total Amount of \$378,065.64. Funding Is Available in the Streets Fund.
- D. Approval of City Contract No. 2023-079 for the Purchase of One (1) 2023 F350 4x4 Super Cab Pick-up Truck from Peoria Ford Using Arizona State Contract No. CTR059322 Pricing in the Amount of \$60,458.84. Funding is Available in the Streets Fund.
- E. Approval of City Contract No. 2023-057A1, an Amendment to City Contract No. 2023-057, with James, Cook & Hobson, Inc., for Equipment Purchases & Maintenance in an Amount not to Exceed \$150,000 Annually. Funding Is Available in the Wastewater Fund.
- F. Approval of Appointment of Lars Johnson, Deputy Finance Director, to the Yavapai Combined Trust Board to Replace Finance Director Mark Woodfill.

9. REGULAR AGENDA

- A. Adoption of Resolution No. 2022-1842 Approving the Updated Council Policy on Membership for City Boards, Commissions & Committees.

City Attorney Joseph Young provided a presentation to Council regarding this Item which was requested by the Mayor and taken on by the City Clerk's Office primarily. The objective is to update the policy in a way that mirrors the Council's attendance policy recently adopted and include options for removal of an appointed member of a Board, Commission or Committee (BCC). These members are not beholden to anybody but themselves, and this establishes that they can be removed for failing to appear for three consecutive meetings, actively participate, or behave negatively as a member. In that event, the Chairman would bring the issue to Council where removal would be voted on.

Mayor Goode commented that he felt this was a necessary addition and revision to the Policy. There are people who serve on these commissions and committees that don't take their responsibility seriously and they don't attend regularly or do not participate.

Mayor Pro Tem Rusing concurred, but stated that she is concerned about Section A, Paragraph 4 of Exhibit B being too general and could include volunteers' private lives. She suggested things could be used against them to be removed from a Board and the language should be updated to "at public meetings involving city business".

Mr. Young responded that this was done intentionally because there is no recall process for BCC members.

Councilwoman Cantelme stated that she supports generally, but is concerned with Line 4 of Exhibit B and she proposes something more defined such as a code of conduct. When members are placed on BCCs they can sign-off on the document and be held to it.

Mayor Goode added that a BCC Chair would have to make a recommendation of removal to Council, and Council will consider both sides so there is recourse. He feels a code of conduct would be separate issue.

Mr. Young confirmed. If Council would like to approve a code of conduct jointly this item would have to be tabled.

Councilman Montoya asked if this policy deals with appointments of BCC Chairs. He believes there is some value to allowing these committees autonomy but is concerned that this document does not provide a due process.

Mayor Goode commented that he believes this puts a higher level of responsibility with the Chairperson of the BCCs.

Councilman Moore stated that he feels it is important to keep strong language in the policy.

Mayor Goode commented that there are situations where a member who is active in the community could put the city in a negative light so having recourse is in the best interest to the city.

Councilman Tenney commented that he feels both concerns are addressed in the current language of the Resolution Exhibit 4 Section A Paragraph 4.

Mayor Goode added this creates a process to deal with such a situation. Currently there is not one, so Council just must wait until the member's term expires which could be a couple years.

City Manager Michael Lamar commented that BCC Chairs should be held to the same standards and be held accountable by the other members of the board.

Mayor Goode said that is a legitimate concern.

Mr. Young said that language is not in there now, but it could be added that two members of a BCC could bring something forward if there is an issue with the Chair.

Mayor Pro Tem Rusing stated that she wants to bring this Item back to include the code of conduct.

Councilwoman Cantelme asked if it would be helpful to define code of conduct.

Mr. Young stated that it depends on your perspective. If Council would like to remove discretion and clarify for BCC members, then a code of conduct might make sense.

Member of the public Deb Thalasis addressed the Council asking to consider clarification to the Resolution. As stated, due process says “may”, there is no role for the Council Committee Liaisons who might need to be involved, and this policy is outdated and was adopted in 2011. She also feels it needs to address behavioral expectations and criminal activity. As written, it is too broad and open.

Member of the public Ralph Hess addressed Council and stated the current policy says “may”, but should say shall. There is no guideline for the Chairman so that the members know what activity will be inappropriate or negatively represent the BCC. Suggests adding a code of conduct to refer to. If Council has confidence in the members, should also have confidence that they can elect their own Chairpersons and Vice Chairs.

Mr. Young suggested bringing the Item back for a Study Session discussion with the suggested revisions.

MOTION BY MAYOR PRO TEM RUSING TO TABLE ITEM 9.A.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

- B. Approval of City Contract No. 2023-076 with Fann Contracting, Inc., for a Concrete Maintenance Program Project to Improve Sidewalk Connectivity, Roadways & Parking in the Vicinity of the American Legion & Prescott Library in the Amount of \$899,546.00 (“The American Legion & Prescott Library Sidewalk Improvements Project”). Funding is Available in the Streets Fund.

Capital Program Manager Tim Sherwood provided a presentation to Council regarding the contract which is part of city’s concrete maintenance program and will improve sidewalk connectivity as well as provide twelve additional on-street parking spaces.

Mayor Goode asked if this would maintain the historical timeline at the library and if the parking will be 2-hour or unlimited.

Mr. Sherwood confirmed, this project will add a sidewalk adjacent to the curb. Also, parking will be changed from parallel to diagonal for a net gain of twelve spaces along that block. He is unsure of time limit but will discuss with necessary staff.

Mayor Pro Tem Rusing commented that she is excited about the project. It is high profile because of the connection between American Legion and downtown. The additional parking will be great. She asked how long the project will take.

Mr. Sherwood responded that it has a 120-day timeframe and should be wrapped up by Christmas.

Councilman Moore asked if the fire hydrant and utilities will need to be removed.

Mr. Sherwood stated that only a gas line, as the project will take sidewalk behind fire hydrant.

Mayor Pro Tem Rusing asked about saving the honey locust trees.

Mr. Sherwood responded that two of the trees will be removed due to configuration of handicapped area. But staff can have an arborist come out.

Councilwoman Cantelme asked if Goodwin Street will become narrower and if there are any plans to go further beyond this area with the project.

Mr. Sherwood commented that the driving width will a bit narrower due to diagonal parking. He added that one section between Pleasant and Mt Vernon will be left to go on this.

Library Director Roger Saft stated that he is glad to have additional parking as it will be helpful in the winter and easier for safe passage during that time.

MOTION BY MAYOR PRO TEM RUSING TO APPROVE ITEM 9.B.; SECONDED BY COUNCILMAN MOORE: PASSED [7 – 0].

- C. Approval of City Contract No. 2023-065, a Professional Services Agreement with Arizona Communications Network for Operation of the City's Public Access Channel in the Amount of \$90,000 for the First Year and a 6.5% Increase in Year Two and Three. Funding is Available in the General Fund.

Community Outreach Manager John Heiney provided a presentation to Council regarding the contract with AZ Communications Network for operation of the City's public access channel (PAC). In 2020 the city took over Prescott Media Center (PMC) Channel 64 and in 2021 Rob Milligan and Lynn LaMaster were hired to manage PMC on a two-year contract. This is for renewal of that contract with core services as well as maintenance of content for the city Facebook page.

Mayor Goode commented that he was skeptical about the cost and value originally but has heard from many people who appreciate the updates on the various channels they broadcast to and appreciates the work they both do.

Mayor Pro Tem Rusing asked how many people have watched the PAC this week. While this was a big deal in the 80's she feels it is no longer necessary. People prefer Facebook, Zoom, and streaming. She is also concerned that is not going out to bid. Her suggestion would be a one-year contract and begin taking on more in house. This money could be used in other ways, she added that she asked for a financial statement which was not provided.

Mayor Goode asked if Sparklight provides the PAC free of cost.

Mr. Heiney confirmed and added that this goes beyond Channel 64 to include Facebook and bringing things onto the city website.

Councilman Moore said that he feels Lynn and Rob are going above and beyond. They have moved the city to multiple platforms and mediums that were not previously used. He added that as Council was told earlier, there are currently forty-seven unfilled city positions. City

staff is overworked and underpaid as it is, no need to add burden to staff, and there is no need to see their financials.

Councilman Sischka concurred. Good media companies don't grow on trees. He asked staff if they are happier with this company adding that the quarter of a million-dollar payout is over three years.

Mr. Heiney said they are.

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

- D. Approval of City Contract No. 2021-181A4, an Amendment to City Contract No. 2021-181, with Fann Contracting, for Miller Creek Restoration Work Associated with the Sundog Trunk Main Phase C2 Project in an Amount not to Exceed \$151,623.83. Funding Is Available in the Wastewater & Streets Funds.

Capital Program Manager Tim Sherwood provided a presentation regarding the project which was originally awarded to Fann in June 2021 and was delayed eight months due to material supply issues. This portion will include creek restoration and trail reconstruction after receiving concerns from the public following the installation of the sewer trunk main. Staff has been working with the Prescott Creek and city's Recreation Services Department to restore vegetation and the trail in the area.

Councilman Montoya thanked Mr. Sherwood for his efforts to involve the public, is important to get an audience for staff as well as Council. He has addressed concerns head-on and public is grateful.

Mayor Goode concurred and echoed Councilman Montoya's comments. This shows how the call to the public benefits the community.

Prescott Creeks Executive Director Michael Bird addressed Council stating that he is pleased to be part of the process. Always try to involve the public and engage them in the work.

Councilman Moore expressed a concern he has with the scope of work. He asked why razor wire will be used along the trail.

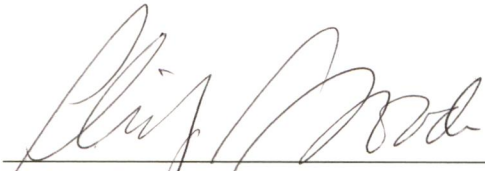
Mr. Sherwood responded that they will replace Salvation Army part of fencing that has razor wire.

MOTION BY MAYOR PRO TEM RUSING TO APPROVE ITEM 9.D.; SECONDED BY COUNCILMAN MOORE: PASSED [7 – 0].

10. ADJOURNMENT

Quote: "The nine most terrifying words in the English language are 'I'm from the government and I'm here to help'" - Ronald Reagan

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:28 p.m.



PHILIP R. GOODE, Mayor

ATTEST:

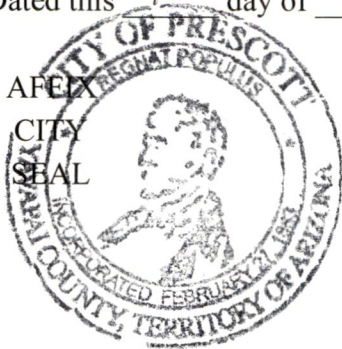


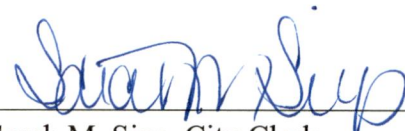
SARAH M. SIEP, City Clerk

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 October 25, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 9th day of November, 2022.





Sarah M. Siep, City Clerk