



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, AUGUST 23, 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

Vacant Seat

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 - Dennis Baker with Mt. Vernon Church of Christ**
- 4. PLEDGE OF ALLEGIANCE - Councilman Moore**
- 5. ROLL CALL**
- 6. PRESENTATIONS**
 - A. Presentation Regarding Recognition Monument for Frank Shankwitz Founder of the Make-A-Wish Foundation**
- 7. PROCLAMATIONS**
 - A. 10th Annual Hopefest Arizona - September 10**
- 8. 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***

9. 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 9.A. through 9.G.

- A. Approval of Minutes from the August 9, 2022 10 am Executive Session, the August 9, 2022 Study Session, the August 9, 2022 Voting Meeting and the August 9, 2022 4:30 pm Executive Session.
- B. Approval of City Contract No. 2023-022 for the Purchase of a New Cart-Away Pull-Behind Concrete Mixer in the Amount of \$48,671.47. Funding Is Available in the Streets Fund.
- C. Approval of City Contract No. 2023-034 for the Purchase of Two (2) Kubota Utility Vehicles from Bingham Equipment Company Utilizing Sourcewell Contract No. 040319-KBA in the Amount of \$31,003.78. Funding is Available in the Wastewater Fund.
- D. Approval of City Contract No. 2022-038 for the Purchase of Six (6) Police Vehicles from Peoria Ford using State of Arizona Contract ADSP017-00006397 Pricing in the Amount of \$286,043.97, Four (4) Police Vehicles from Courtesy Chevrolet using State of Arizona Contract Pricing in the Amount of \$176,798.92, Emergency Equipment Up Fitting from American Emergency Products Using Yavapai County Contract 2018-356 in the Amount of \$284,438.78 and Other Required Equipment from Various Vendors Totaling \$120,000.00 Funding is Available in the General Fund.
- E. Approval of City Contract No. 2023-037 with Yavapai Metal Recycling for the Recycling of Scrap Metals and Materials.
- F. Approval of City Contract No. 2019-069A36, an Amendment to City Contract No. 2019-069 with Dibble for On-Call Engineering and Planning Services at Prescott Regional Airport -

Ernest A. Love Field in an Amount not to Exceed \$70,000.00. Funding is Available in the Airport Fund.

- G. Approval of City Contract No. 2022-168A6, an Amendment to City Contract No. 2022-168 with Dibble for On-Call Planning & Engineering Services at Prescott Regional Airport - Ernest A. Love Field, to Create a Drainage Master Plan (DMP) - Phase 1 in an Amount not to Exceed \$202,416.00. Funding is Available in the Airport Fund.

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 6 Bar Liquor License Application from Amy S Nations, Applicant, for Whiskey River Tavern. Location: 214 S Montezuma Street.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 201164 for a new Series 6 Bar liquor license application for Whiskey River Tavern. Location: 214 S Montezuma Street

- B. Public Hearing and Consideration for a Location Change Series 19 Remote Tasting Room Liquor License Application from Richard Elwin Skladzien, Applicant, for Del Rio Vineyards. Location: 218/220 W Goodwin Street #4

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 13133043 for a location change Series 19 Remote Tasting Room liquor license application for Del Rio Vineyard. Location: 218/220 W Goodwin Street #4

11. REGULAR AGENDA

- A. Approval of Multiple Contracts for the Juniper & Karen Drives Water Main Replacement Project as Follows: 1) City Contract No. 2023-027 with Asphalt Paving and Supply, Inc., in the Amount of \$3,507,570.00; and 2) City Contract 2018-118A5, an Amendment to City Contract No. 2018-118 with Shepard-Wesnitzer Inc., for Post-Design Services in the Amount of \$90,930.00. Funding Is Available in the Water Fund.

Recommended Action: 1) MOVE to approve City Contract No. 2023-027; and 2) MOVE to approve City Contract No. 2018-118A5

- B. SITE22-008 and WSA22-009: Approval of SITE22-008, a Site Plan Application, and WSA22-009, a Water Service Application, for an Exceptional Healthcare Specialty Hospital. Location: APN 103-15-160A, 4822 E State Route 69, on Approximately 8.65 Acres. Zoning: BR (Business Regional). Property Owner: Exceptional Healthcare. Applicant: BMH As-Built USA of Texas, Inc.

Recommended Action: 1) MOVE to approve or deny SITE22-008 per site plan submitted; and 2) MOVE to approve or deny WSA22-009

- C. SITE22-009 and WSA22-017: Approval of Site Plan Application and Water Service Application to Establish a New 3,842 Square Foot Medical Building. Location: APN 102-06-207U, 2121 Assurance Way, on Approximately 2.01 Acres. Zoning: IL (Industrial Light). Property Owner: Healing Holdings LLC. Applicant: Michael Taylor Architects, Inc.

Recommended Action: 1) MOVE to approve or deny SITE22-009 per site plan submitted; and 2) MOVE to approve or deny WSA22-017

- D. SITE22-010 and WSA22-018: Approval of Site Plan Application and Water Service Application to Establish a New 10-unit Village using Airstream-type Trailers for Short-Term Rentals. Location: APN 109-03-100, 310 S Montezuma Street, on Approximately 0.97 Acres. Zoning: BR (Business Regional). Property Owner: Loma Buena LLC. Applicant: Kimley-Horn and Associates Inc.

Recommended Action: 1) MOVE to approve or deny SITE22-010; and 2) MOVE to approve or deny WSA22-018

- E. Approval of WSA22-013 a Water Service Application Submitted by Applicant Paul Aslanian on Behalf of Property Owner Craftsman Court Holdings, LLC. Location: APN 306-24-012, a 10-Acre Parcel in the SW¼ of the NW¼ of Section 23, Township 16N, R02W, GSRB&M.

Recommended Action: MOVE to approve or deny WSA22-013

- F. Approval of the 2022 Arizona League of Cities and Towns Resolutions to be Voted on at the League's Annual Resolutions Meeting.

Recommended Action: MOVE to approve the 2021 League of Cities Resolutions

- G. Receive Presentation from Tri-City College Prep Headmistress Regarding Possible Settlement of Claims Related to the Middle School Building; and Possible Adjournment to Executive Session to Discuss and Consult with the City's Attorneys for Legal Advice, to Consider the City's Position and Instruct its Attorneys and Necessary City Employees, and Discussions Regarding Possible Settlement Discussions Pursuant to A.R.S. § 38-431.03(A) (3) and A(4).

Recommended Action: Staff recommends receiving presentation from Tri-City College Prep and determine whether to adjourn into executive session for discussion and possible action related to possible settlement of claims relating to Tri-City College Prep's Middle School Building

12. ADJOURNMENT

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