



AGENDA

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
Tuesday, July 28, 2015
3:00 PM**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

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

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION** Church of Jesus Christ of Latter-Day Saints
- ◆ **PLEDGE OF ALLEGIANCE** Councilman Arnold
- ◆ **ROLL CALL**

MAYOR AND CITY COUNCIL

Mayor Kuykendall	
Mayor Pro Tem Kuknyo	Councilman Lamerson
Councilman Arnold	Councilman Lazzell
Councilman Blair	Councilwoman Wilcox

◆ **ANNOUNCEMENTS**

I. CONSENT AGENDA

CONSENT ITEMS I.A. – I.E. LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

- A. Approval of minutes for City Council meetings held on April 28, 2015; May 5, 2015; May 14, 2015; May 26, 2015; and May 28, 2015

- B. Approval of payment of FY 2016 dues to the Arizona League of Cities and Towns in the amount of \$23,200.00
- C. Approval of increase of \$20,000.00 in the FY2015 expenditure limit for City Contract No. 2013-032 with Petroleum Traders for delivered bulk fuel
- D. Assignment of cellular site lease from Verizon Wireless to American Tower Corporation at the 812 Douglas Avenue City water tank site (City Contract No. 2005-446)
- E. Adoption of Ordinance No. 4941-1479 authorizing granting of a utility easement at Prescott Municipal Airport to Arizona Public Service Company

ORDINANCE NO. 4941-1479 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE GRANTING OF A UTILITY EASEMENT TO ARIZONA PUBLIC SERVICE COMPANY, AN ARIZONA CORPORATION AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID EASEMENT.

RECOMMENDED ACTION: MOVE to approve Consent Agenda Items I.A.-I.E.

II. LIQUOR LICENSE CONSENT AGENDA

- A. Application for a Series 15 Special Event Liquor License

Sharlot Hall Historical Society of Arizona
Sharlot Hall Museum, 415 W. Gurley Street
Applicant: Steven Randolph Gottlieb
City Application No. 15-0025S
Date/Time of Event: Saturday, August 22, 2015, 4:00 pm - 9:00 pm

The application has been reviewed and determined to be in compliance with City requirements

- B. Application for a Series 15 Special Event Liquor License

Arizona Wildfire Council, Inc.
Captain Crossfit, 420 N. 6th Street
Applicant: Elizabeth A. Reiman
City Application No. 15-0026S

Date/Time of Event: Saturday, August 29, 2015, 8:00 am - 6:00 pm

The application has been reviewed and determined to be in compliance with City requirements

C. Application for a Series 15 Special Event Liquor License

Prescott Meals on Wheels

Mile High School Football Field, 300 S. Granite Street

Applicant: Steven Randolph Gottlieb

City Application No. 15-0023S

Date/Time of Event: Sat., September 12, 2015, 11:00 am - 10:00 pm

The application has been reviewed and determined to be in compliance with City requirements

D. Application for a Series 15 Special Event Liquor License

Prescott Firefighters Charities

On Goodwin Street between Montezuma and Cortez

Applicant: Shawn Marie Vicente

City Application No. 15-0027S

Date/Time of Event: Friday, September 25, 2015, 5:00 pm - 9:00 pm

The application has been reviewed and determined to be in compliance with City requirements

E. Application for a Series 15 Special Event Liquor License

The Fraternal Order of Eagles #3600

Pioneer Park Sports Complex, 1200 Commerce Drive

Applicant: Thomas Michael Davidson

City Application No. 15-0022S

Date/Time of Event: Saturday, October 10, 2015, 9:00 am - midnight
and Sunday, October 11, 2015, 10 am - midnight

The application has been reviewed and determined to be in compliance with City requirements

F. Application for a Series 15 Special Event Liquor License

Prescott Mountain Bike Alliance

Granite Creek Park, 554 6th Street

Applicant: Brooke K. Weitkunat

City Application No. 15-0024S

Date/Time of Event: Saturday, October 17, 2015, 11:00 am - 9:00 pm

The application has been reviewed and determined to be in compliance with City requirements

RECOMMENDED ACTION: MOVE to forward special event liquor license applications II.A. – II.F. to the Arizona State Liquor Board with a recommendation of approval/denial.

III. REGULAR AGENDA

- A. Public hearing and consideration of a person transfer liquor license application for a Series 09 and 9S, Liquor Store and Sampling License, from Patrick Joseph Paul, applicant for Haggen, located at 174 East Sheldon Street

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 09130002 and 09130002S, for a Series 09 and 9S Liquor Store and Sampling license, for Haggen, located at 174 East Sheldon Street.

- B. Public Hearing and adoption of Ordinance No. 4947-1485 for rezoning, and adoption of Resolution No. 4305-1514 for amendment of the General Plan Land Use designation of property at 926 Whetstine Avenue to permit four additional dwelling units for a total of five on the lot [Property owner: Greseth Family L.P.; APN 115-05-014; lot area 17,875 square feet (0.41 acre)] - public hearing continued from 7-14-15 meeting

ORDINANCE NO. 4947-1485 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT LOCATED AT 926 WHETSTINE AVENUE, FROM SINGLE-FAMILY 9 (SF-9), ZONING DISTRICT TO MULTIFAMILY HIGH (MF-H) ZONING DISTRICT.

RECOMMENDED ACTION: (separate motions): (1) MOVE to adopt Ordinance No. 4947-1485; and (2) MOVE to adopt Resolution No. 4305-1514.

- C. Approval of payment to Trauma Intervention Programs of Arizona, Inc. (TIP), in the amount of \$23,906.00 for Fiscal Year 2016

RECOMMENDED ACTION: MOVE to approve payment to Trauma

Intervention Programs of Arizona, Inc., in the amount of \$23,906.00 for Fiscal Year 2016.

- D. Award of City Contract No. 2015-198 to Pioneer Distributing for supply of oil and lubricants in an annual amount not to exceed \$40,000.00 (various funds)

RECOMMENDED ACTION: MOVE to award City Contract No. 2015-198 to Pioneer Distributing for supply of oil and lubricants in an annual amount not to exceed \$40,000.00.

- E. Award of City Contract No. 2016-006 for the FY 2016 Pavement Rehabilitation Project to Fann Contracting, Inc., in the amount of \$1,740,193.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2016-006 for the FY 2016 Pavement Rehabilitation Project to Fann Contracting, Inc., in the amount of \$1,740,193.00.

- F. Approval of Amendment No. 2 to City Contract No. 2012-223A2 with Duke's Root Control, a one-year extension for wastewater system treatment in an amount not to exceed \$110,000.00

RECOMMENDED ACTION: MOVE to approve Amendment No. 2 to City Contract No. 2012-223A2 with Duke's Root Control for a one-year contract extension in an amount not to exceed \$110,000.00.

IV. 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:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (iv) 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));

- (v) 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));
- (vi) 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));
- (vii) 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)).

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.

Dana R. DeLong, CMC, City Clerk