



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING MINUTES

TUESDAY, JULY 27, 2021, 3:00 PM

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

Greg Mengarelli, Mayor

Alexa Scholl, Mayor Pro Tem

Steve Blair, Councilman

Phil Goode, Councilman

Cathey Rusing, Councilmember

Steve Sischka, Councilman

Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON JULY 27, 2021, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

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

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Scholl expressed that she was sending her thoughts to the Verde Valley in their search efforts for Faith Moore and everyone is thinking of her family. She thanked City Attorney Jon Paladini for his service in the military and to the city in recognizing his last meeting.

3. INVOCATION - Pastor Dennis Baker with Mt. Vernon Church of Christ.

4. PLEDGE OF ALLEGIANCE - Mayor Mengarelli

5. ROLL CALL

Greg Mengarelli	Mayor
Alexa Scholl	Mayor Pro Tem
Steve Blair	Councilman
Phil Goode	Councilman
Cathey Rusing	Councilmember
Steve Sischka	Councilman
Clark Tenney	Councilman

6. PROCLAMATIONS

A. Child Support Awareness Month - August 2021

7. 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 MAYOR PRO TEM SCHOLL TO APPROVE CONSENT AGENDA ITEMS

7.A. THROUGH 7.F.; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0]

- A. Approval of Minutes from the July 13, 2021 Executive Session, the July 13, 2021 Special Voting Meeting, the July 13, 2021 Voting Meeting and the July 20, 2021 Executive Session.
- B. Adoption of Resolution No. 2021-1787 Designating the Prescott Office of Tourism as the Official Destination Marketing Organization for the City of Prescott.
- C. Approval of Payment to Yavapai Family Advocacy Center in the Amount of \$32,617 for FY22 for Support Services to the Prescott Police Department. Funding is Available in the General Fund.
- D. Adoption of Resolution No. 2021-1788, Approving City Contract No. 2022-016 an Intergovernmental Agreement with the Prescott Unified School District for School Resource Officer Services. The City's Portion is \$23,000 with Funding Available in the General Fund and a 75% Contribution from PUSD.

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE PRESCOTT UNIFIED SCHOOL DISTRICT FOR PROVIDING SCHOOL RESOURCE OFFICER SERVICES TO PRESCOTT HIGH SCHOOL FOR THE 2021-2022 SCHOOL YEAR; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE

- E. Approval of City Contract No. 2022-017 for the Purchase of a Mechanical Broom Sweeper from Nescon LLC, Using Maricopa County Contract No. 190170-S Pricing in the Amount of \$295,096.75. Funding is available in the Streets Fund.

- F. Approval of City Contract No. 2022-018 for the Purchase of a 2022 Caterpillar Vibratory Roller from Empire CAT Using the Tucson Cooperative Purchasing Agreement RFP No. 161534 in the Amount of \$75,435.84. Funding is Available in the Street Fund.
- G. Approval of SUP21-002, a Special Use Permit to Allow for an Intermediate Pump Station on an Approximate 11 Acre Parcel Zoned SPC in the Deep Well Ranch Master Plan Area. APN: 800-11-062Q; Property Owner: City of Prescott; Applicant: Brandi Tamura.

This Item was pulled from the Consent Agenda for further discussion.

Councilmember Rusing commented that this is a big water infrastructure project and wanted more discussion.

Utilities Manager Eric Bay responded with an overview of the project. Currently, the production facility in Chino Valley gets most of the potable water into Prescott, which requires a great deal of energy and power. Much of the growth is happening in North Prescott which is about half way between Chino and current out pumps, making it a good intermediate area. This is a substantial project and will be paid for through development impact fees and rate fees. This site will service all of Prescott making it one of the most important in the area. The project will build in redundancy and reliability and will function for a good 80 years.

Mayor Pro Tem Scholl thanked staff for the summary and asked for next steps as today's vote is just the Special Use Permit. She reiterated that staff and Council did not put a \$30 million project on the Consent Agenda.

Mr. Bay responded that there are two GMPs left in the plan, next one will be for the tanks which will be subcontractor based primarily and will likely be split. The final GMP will be for the balance of the site.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 7.G.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [7 – 0]

8. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2021-1766 Amending City Code Chapter 7-4-25 (C-D) Municipal Solid Waste Fees, and Adoption of Resolution No. 2021-1781 Declaring Chapter 7-4-25 (C-D) Municipal Solid Waste Fees, as a Public Record.

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ORDINANCE NO. 2021-1766; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0]

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT RESOLUTION NO. 2021-1781; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0]

9. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Angel Ivan Marin, Applicant, for Spicy Streats. Location: 1201 Iron Springs Rd #12-13.

Applicant Angel Ivan Marin was present and addressed Council regarding the restaurant that he started with this brothers. They are hoping to regain some of their losses from COVID with the addition of alcohol sales.

Mayor Mengarelli thanked Mr. Marin for his investment in the city and his hard work in running his business.

**MOTION BY COUNCILMAN SISCHKA TO CLOSE THE PUBLIC HEARING;
SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [7 – 0]**

**MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 9.A.; SECONDED BY
COUNCILMAN BLAIR: PASSED [7 – 0]**

10. REGULAR AGENDA

- A. Approval of Appointment of Matt Podracky as Interim City Attorney and Discussion Regarding Future City Attorney Recruitment.

Human Resources Director Joyce Lira provided a brief presentation to Council regarding Mr. Podracky's appointment which will be effective August 1. He served as Interim City Attorney previously while Mr. Paladini was deployed for approximately 10 months. She added that we are in preliminary stages of opening a recruitment for City Attorney and is meeting with all of Council individually before opening that up in likely mid-August. Hope to have a new attorney by the end of the year.

**MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE ITEM 10.A.; SECONDED BY
COUNCILMAN TENNEY: PASSED [7 – 0]**

- B. Update on Renovations at New City Hall and Approval of City Contract No. 2022-012 with Michael Taylor Architects, Inc. for Architectural Design Services for the New City Hall Located at 201 North Montezuma in the Amount of \$127,050, Using the 1Government Procurement Alliance Contract (1GPA). Funding is Available in the General Fund.

Recreation Services Director Joe Baynes provided a presentation to Council regarding the ongoing process of moving staff to the new City Hall on Montezuma Street. Human Resources staff is currently in the building and staff is continuing to work with the building's current tenants as they reach the ends of their leases. Michael Taylor Architects conducted the facility assessment for the current City Hall and was the original architect of the new building so they are very familiar with it. The city closed on the property in June and staff expects the move to take nine to eleven months. The goal is to consolidate and improve city services.

**MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 10.B.; SECONDED BY
MAYOR PRO TEM SCHOLL: PASSED [7 – 0]**

- C. Adoption of Resolution No. 2021-1789 Authorizing the Cancellation of City Contract No. 02-026 a Development Agreement With 1800 Iron Springs Land, LLC.

City Attorney Jon Paladini provided a presentation to Council regarding the property at Iron Springs and Williamson Valley Road, and a proposed residential development for the property. The former agreement needs to be rescinded in order for this to move forward. Staff has reviewed and even if the current proposed development does not happen there is no need for this previous agreement.

Councilmember Rusing commented that Item 10.J. concerns the development of this property and will increase density from the old agreement, she asked if this will go before the Planning & Zoning Commission.

Deputy Public Works Director Gwen Rowitsch responded and corrected Councilmember Rusing that this development will actually decrease the number of residential units from 250 to 203 units and not increase it.

Mr. Paladini added that Item 10.J. is for the approval of a water service application which meets city criteria and does not require Planning & Zoning Commission approval. He reiterated that the current zoning will not change and there is no need for a new Development Agreement as there is nothing that isn't consistent with Land Development Code.

**MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ITEM 10.C.; SECONDED BY
COUNCILMAN SISCHKA: PASSED [7 – 0]**

- D. Approval of City Contract 2021-178 for the Purchase and Installation of New Console Furniture for Prescott Regional Communications Center in the Amount of \$300,000, Using Cooperative Purchase Agreement No. EC07-20 with HGACBuy. Funding is Available in Various Funds.

Police Chief Amy Bonney provided a presentation to Council regarding installation of new furniture at the Regional Communications Center. The current furniture was installed in 2005 when the center was opened and dispatchers work 12 hour shifts with outdated equipment. This will take capacity from 10 to 12 workstations.

Mayor Pro Tem Scholl commented that she is excited for staff to get this updated furniture and have more modern equipment to work with.

Chief Bonney concurred and added that they will also be installing a track around the center workstations which will allow dispatchers to move around the room. All of these improvements will help with retention and recruitment.

MOTION BY COUNCILMAN BLAIR TO APPROVE ITEM 10.D.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [7 – 0]

- E. Approval of City Contract No. 2022-001 with Lyon Engineering & Surveying, Inc. for the Airport Ruger Road Sewer Trunk Main Upsizing Project in the Amount of \$327,215.00. Funding is Available in the Wastewater Fund.

Utilities Manager Eric Bay provided a presentation to Council regarding the project which contains several difficult components but will provide improvements to the benefit of both the Airport and Wastewater departments.

Councilmember Rusing asked if this project will involve any water mains.

Mr. Bay said it will not.

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE ITEM 10.E.; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0]

- F. Approval of City Contract No. 2022-009, with Combs Construction Company, Inc. for the West Ramp Pavement Maintenance Project in the Amount of \$283,486.78. Funding is Available in the Airport Fund.

Public Works Director Craig Dotseth provided a presentation to Council regarding the pavement maintenance project on the west ramp at the airport. His staff will work with Airport staff and Embry Riddle on this project in order to improve and expand their parking and usage for flight training aircraft. The project will include crack filling, edge milling, overlay, sidewalk improvements and fencing access as well.

Airport Director Robin Sobotta thanked Public Works staff for the work and added that staff anticipates reaching 300,000 operations this year.

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE ITEM 10.F.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

- G. Approval of City Contract No. 2021-006A1, an Amendment to City Contract No. 2021-006 with Asphalt Paving & Supply in the Amount of \$180,965.78 for Emergency

Procurement Repairs at the Prescott Regional Airport - Ernest A. Love Field. Funding is Available Through FAA Grant Funds.

Airport Director Robin Sobotta addressed Council regarding the July 11 storm that caused significant damage including erosion and flooding in areas that had recently been updated. Staff contacted the FAA regarding the damages and were informed that with 100% funding from them they'll be able to handle the improvements.

MOTION BY COUNCILMAN BLAIR TO APPROVE ITEM 10.G.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

- H. Approval of Funds for Future Purchase of Vehicles and Equipment for Public Works in an Amount not to Exceed \$435,000. Funding is Available in the Solid Waste, Streets and Wastewater Funds.

Public Works Director Craig Dotseth provided a presentation to Council regarding the replacement of existing vehicles for three used pieces when they become available. The equipment to be replaced is a solid waste rear collection, a 50 foot boom truck for Streets and a wastewater tractor mower. These have all been approved for FY22 replacement and are critical to functions when used. Fleet will be involved in inspection of vehicles considered for purchase before any commitment is made.

Councilman Tenney thanked staff for thinking outside the box and saving the city money by going this direction.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 10.H.; SECONDED BY COUNCILMAN BLAIR: PASSED [7 – 0]

- I. Approval of Water Service Application No. WSA21-007: Submitted by Stroh Architecture, Inc., Prescott, on Behalf of Platinum Equities, Great Neck, NY. Located at 3079 E State Route 69, APN 103-20-600M, Comprised of 4.08 Acres, in the SE¼, NW¼, SW¼, S31, T14N, R01W.

Deputy Public Works Director Gwen Rowitsch provided a presentation to Council regarding the application for Gateway Apartments located just passed the old Sears Building. The project will include 144 apartments in two units with 72 each, a club house and drought tolerant landscape. The estimated usage is 18.28 acre feet per year. This item was approved unanimously by the Water Issues Subcommittee at their July 6 meeting.

Councilman Goode commented that this is a laudable way to utilize what is a declining use of mall facilities. Putting these apartments within that area puts more rental units within the city/infill development and guarantees additional customers at the mall itself. Makes a lot of sense to extend the use of the mall and provide reasonable rental units.

Councilmember Rusing echoed Councilman Goode's comments, this is an excellent location for the residents. She believes this will revitalize the area and keep the mall from becoming an eye sore.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 10.I.; SECONDED BY COUNCILMAN GOODE: PASSED [7 – 0]

- J. Approval of Water Service Application No. WSA21-010: Submitted by Jason Hersker on Behalf of Capital Development Group, Phoenix, and Owner 1800 Iron Springs Land, LLC. Located on 28+/- Acres on APNs 115-10-006, 115-10-007, and 115-10-159B, in the NE1/4 of the NE1/4, S30, T14N, R02W.

This Item was discussed following Item 10.C.

Deputy Public Works Director Gwen Rowitsch provided a presentation regarding the Water Service Application Agreement approval for the Parks at Iron Springs which will be a mixed used rental project of single family homes with rental units attached. The development will consist of 203 units with estimated use at 31.5 acre feet per year. The application was recommended for approval unanimously by the Water Issues Subcommittee at their July 6 meeting. There are no other formal approvals for the project.

Mayor Mengarelli commented that this seems like a good attainable housing project for our community.

Councilmember Rusing commented that there are a number of unique projects similar to this happening in our area and asked if they will have individual meters. She added that according to her research if people aren't forced to conserve water they'll use more and this is bad for our area.

Ms. Rowitsch said that city code allows for one master meter and it is her understanding that the developer intends to do this.

City Attorney Jon Paladini added that any future changes to the properties would require subdivision platting and Council's approval.

Councilman Goode echoed Councilmember Rusing's comments and asked if the developer would address if they intend to do any sub metering. He added that it can be difficult to detect breaks and leaks when there is a master meter.

Applicant and developer Jason Hersker responded that they utilize sustainable building products to begin with and have been researching sub metering options. They believe it is critical to hold tenants responsible for conservation but they are exploring all options.

Councilman Sischka agreed that sub meters are probably the most sustainable solution, but asked where a master meter would be advantageous to the city.

Ms. Rowitsch responded that with a master meter the city does not have to maintain additional infrastructure which would be beneficial.

Councilmember Rusing stated that the city has a three tiered system for conservation based on consumption and with a master meter like this not everyone will conserve. She believes Council needs to negotiate with the developer for sub meters and they should join the community in conserving water.

Councilman Tenney asked if there is anything that Council can do to require sub metering or to incentivize it.

Mr. Paladini responded that there is nothing Council can do to require it as the code does not require it, however, with a code revision Council could do so in the future. He added that every meter triggers a development impact fee which drives up the price for this type of development pretty substantially so that is something to consider as well.

City Manager Michael Lamar commented that it might be worth looking into sub metering on multifamily developments.

Councilman Blair commented that it would be beneficial to look at a code revision, but it is important also to create less expensive housing here in Prescott so all the pros/cons need to be looked at. He also suggested an option of a master meter and flow meter installed by the developer in order to track individual usage.

Councilmember Rusing added that the city ordinances regarding multi-family housing are a loophole because these types of projects are new so it is something that Council and staff should address.

Councilman Goode concurred.

Mr. Lamar reiterated that staff will begin looking into this issue, benefits and costs to determine what the best options are.

Mayor Pro Tem Scholl stated that she appreciates Councilman Goode's comments that these types of developments are new and staff needs to look at addressing the issues associated with that. She added that this is a great infill project that will provide affordable housing in our community.

Councilman Sischka commented that the approval of this agreement today will not keep staff from working on an Ordinance which will be reasonable, these are separate items.

Mr. Paladini confirmed.

Member of the public Leslie Hoy addressed Council and stated that she participated in the Water Issues Subcommittee meeting on July 6 and noted that Mr. Paladini had stated the Public Works Director could

require individual meters. She also asked if this type of development could be qualified as apartments and then sub meters are needed. Sub metering does save water and in addition to accommodating all the developers Council needs to think about future citizens of Prescott.

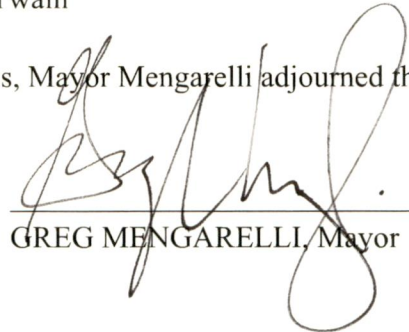
Mr. Paladini reiterated that there is no process for this to go through Planning & Zoning Commission because they are developing by right, not changing the zoning or use etc. and that body does not address water issues. He reiterated that staff can work with the developer to encourage sub metering.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 10.J.; SECONDED BY COUNCILMAN BLAIR: PASSED [6 – 1] [COUNCILMEMBER RUSING DISSENTING]

11. ADJOURNMENT

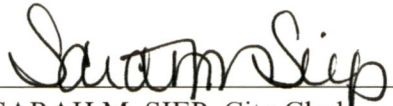
Quote: "Anger is an acid that can do more harm to the vessel in which it is stored than to anything on which it is poured." - Mark Twain

There being no further business to discuss, Mayor Mengarelli adjourned the meeting at 4:22 p.m.



GREG MENGARELLI, 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 July 27, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 10 day of August, 2021.

AFFIX





Sarah M. Siep, City Clerk