



AGENDA

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
Tuesday, July 14, 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** Pastor Jack Shannon
American Lutheran Church
- ◆ **PLEDGE OF ALLEGIANCE** Councilwoman Wilcox
- ◆ **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.F. LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

- A. Adoption of Resolution No. 4302-1511 approving an Intergovernmental Agreement with Yavapai County for Unified Emergency Management

(City Contract No. 2016-001; General Fund)

- B. Approval of submission of a grant application to the Arizona Automobile Theft Association (AATA) requesting funding for additional high definition cameras and a license plate reader in the amount of \$35,008.00 for the City Parking Garage
- C. Approval of submission of a grant application to the U.S. Department of Justice through the Edward Byrne Memorial Justice Assistance Grant for the purchase of Night Vision equipment and accessories to outfit individual officers with similar equipment already in use by the SWAT Team in the total amount of \$12,460.00
- D. Approval of annual support and maintenance for Zetron, Inc., public safety dispatch system software in the amount of \$28,440.46 using Arizona State Contract #ADSP013-036612 pricing
- E. Purchase of custodial supplies from WAXIE Sanitary Supply using City of Tucson Contract No. 151148 through the National Intergovernmental Purchasing Alliance (NIPA), in an amount not to exceed \$32,000.00 annually (City Contract No. 2015-223; Facilities Maintenance Fund)
- F. Approval of payment to Lucity, Inc., for annual technical support and software maintenance for the utilities infrastructure and facilities maintenance management systems in the amount of \$20,945.68 (General Fund, Water Fund and Wastewater Fund)

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

II. REGULAR AGENDA

- A. Public hearing and consideration of an application for a new Series 12 Liquor Restaurant License from Eriko Horikawa, applicant for Esoji, located at 1355 Iron Springs Road

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No.12133624, for a Series 12 Restaurant license, for Esoji, located at 1355 Iron Springs Road.

- B. Public hearing and consideration of an application for a new Series

12 Liquor Restaurant License from Matthew Wayne McGrew, applicant for Mogie's Mongolian Grill, located at 1385 Iron Springs Road Suite B-1

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny/make no recommendation for Liquor License Application No.12133625, for a Series 12 Restaurant license, for Mogie's Mongolian Grill, located at 1385 Iron Springs Road, Suite B-1.

- C. Adoption of Ordinance No. 4948-1486, setting the Fiscal Year 2016 City property tax levies

ORDINANCE NO. 4948-1486 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, LEVYING UPON THE ASSESSED VALUATION OF THE PROPERTY WITHIN THE CITY OF PRESCOTT, SUBJECT TO TAXATION, A CERTAIN SUM UPON EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION SUFFICIENT TO RAISE THE AMOUNT ESTIMATED TO BE REQUIRED IN THE ANNUAL BUDGET, LESS THE AMOUNT ESTIMATED TO BE RECEIVED FROM OTHER SOURCES OF REVENUE; PROVIDING FUNDS FOR VARIOUS BOND REDEMPTIONS FOR THE PURPOSE OF PAYING INTEREST UPON BONDED INDEBTEDNESS, AND PROVIDING FUNDS FOR THE GENERAL MUNICIPAL EXPENSES, ALL FOR THE FISCAL YEAR ENDING THE 30TH DAY OF JUNE, 2016

RECOMMENDED ACTION: MOVE to adopt Ordinance No. 4948-1486.

- D. Approval to accept a 2014 Assistance to Firefighters Grant for self-contained breathing apparatus (SCBA units) in the amount of \$411,273.00

RECOMMENDED ACTION: MOVE to approve the acceptance of the 2014 Assistance to Firefighters Grant in the amount of \$411,273.00, for self-contained breathing apparatus units.

- E. Public Hearing and adoption of Ordinance No. 4947-1485 for rezoning, and adoption of Resolution No. 4305-1514 for amendment of the General Plan 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)]

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.

- F. Special Use Permit (SUP14-005) for the installation of a Cell Tower at 930 Ruth Street. [Site Zoning: Business General (BG); Property Owner: Prescott Unified School District; APN 116-19-006]

RECOMMENDED ACTION: MOVE to approve SUP14-005 for installation of a cellular monopole antenna at 930 Ruth Street, with a maximum pole height of 60 feet.

- G. Approval of purchase of 2,160 ea. 65-gallon residential containers from Otto Environmental using Houston-Galveston Area Council (HGAC) contract pricing in the amount of \$100,609.82 (Solid Waste Fund)

RECOMMENDED ACTION: MOVE to approve the purchase of 2,160 ea. 65-gallon residential containers from Otto Environmental using Houston Galveston Area Council (HGAC) contract pricing in the amount of \$100,609.82.

- H. Adoption of Resolution No. 4294-1503, Ordinance No. 4935-1473 and Ordinance No. 4936-1474, amending engineering and utility fees with an effective date of September 1, 2015

ORDINANCE NO. 4935-1473 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE III, SECTION 3-14-11(D) OF THE CITY CODE OF THE CITY OF PRESCOTT.

ORDINANCE NO. 4936-1474 AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE II, SECTION 2-1-12; SECTION 2-1-15; SECTION 2-1-18; SECTION 2-1-21; SECTION 2-1-25; AND SECTION 2-1-29 OF THE CITY CODE OF THE CITY OF PRESCOTT.

RECOMMENDED ACTION (separate motions): (1) MOVE to adopt Resolution No. 4294-1503, (2) MOVE to adopt Ordinance No. 4935-1473, and (3) MOVE to adopt Ordinance No. 4936-1474.

- I. Approval to perform night work along N. Montezuma Street associated with the Montezuma Street Pavement and Utility Upgrade Project

RECOMMENDED ACTION: MOVE to approve night work along N. Montezuma Street associated with the Montezuma Street Pavement and Utility Upgrade Project, during the hours of 8:00 p.m. to 6:00 a.m., Sunday through Thursday, throughout the project duration (September through November 2015).

- J. Award of City Contract No. 2016-005 to Woodson Engineering and Surveying, to provide engineering services for the Hope Street Roadway Improvement Project and Autumn Breeze Sidewalk and Scupper Replacement Project, in an amount not to exceed \$61,540.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2016-005 to Woodson Engineering and Surveying, to provide engineering services for the Hope Street Roadway Improvement Project, and Autumn Breeze Sidewalk and Scupper Replacement Project, in an amount not to exceed \$61,540.00.

- K. Award of City Contract No. 2016-008 to Shephard-Wesnitzer, Inc., for engineering services for the S. Washington Avenue/E. Goodwin Street Improvements Project in an amount not to exceed \$306,588.00

RECOMMENDED ACTION: MOVE to award City Contract No. 2016-008 to Shephard-Wesnitzer, Inc., for engineering services for the S. Washington Avenue/E. Goodwin Street Improvements Project in an amount not to exceed \$306,588.00.

- L. Adoption of Resolution No. 4304-1513, approving a Water Service Reimbursement Agreement, District #92, for the Perry Street Alley Water Reimbursement District

RECOMMENDED ACTION: MOVE to adopt Resolution No. 4304-1513.

III. 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