



CITY COUNCIL VOTING MEETING

VOTING MEETING MINUTES

TUESDAY, MARCH 22, 2022, 3:30 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

Jessica Hall, Councilwoman

Steve Sischka, Councilman

Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON MARCH 22, 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 3:30 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Rusing commented that Wildfire Season is just around the corner and reminded citizens to make their property Firewise. City of Prescott is offering a brush drop off event for residential trash customers every Saturday from 8-4 during the month of April.

3. INVOCATION - Reverend Richard Rogers with Unity Church of Prescott

4. PLEDGE OF ALLEGIANCE - Mayor Goode

5. ROLL CALL

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

6. PROCLAMATIONS

A. National Vietnam War Veterans Day - March 29

Mayor Goode presented the Proclamation.

B. National Service Recognition Day - April 5

Councilman Moore presented the Proclamation.

7. PRESENTATIONS

A. Presentation to Citizens Academy Graduates

Special Projects Coordinator and Executive Assistant Amber Fraser provided a presentation recognizing the participants of the Citizens Academy.

8. OPEN CALL TO THE PUBLIC

None.

9. CONSENT AGENDA

MOTION BY COUNCILMAN MONTTOYA TO APPROVE CONSENT AGENDA ITEMS 9.B. THROUGH 9.F.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

- A. Approval of Minutes from the March 8, 2022 Executive Session, the March 8, 2022 Study Session and the March 8, 2022 Voting Meeting.

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

Mayor Pro Tem Rusing noted that she would like revisions made to page seven of the Study Session Minutes to note that water service area language should be included along with the water service area.

City Clerk Sarah Siep stated that staff will make the requested revisions.

MOTION BY COUNCILMAN MONTTOYA TO APPROVE ITEM 9.A. AS REVISED; SECONDED BY MAYOR PRO TEM RUSING: PASSED [7 – 0]

- B. Approval for Purchase of One (1) Trimble R12i Model 60 GNSS Receiver from AllTerra in the Amount of \$31,877.20. Funding is Available in the Water, Wastewater and Streets Funds.
- C. Approval of the Authorization for the Prescott City Attorney's Office to Accept Settlement Offer from the On-Line Travel Company- Expedia for Past Taxes and Litigation.
- D. Approval of City Contract No. 2022-169 with Ditch Witch for the Purchase of an FX20B Vacuum Excavator in the Amount of \$28,804.13 using Sourcewell Contract 110421-CMW.

- E. Approval of City Contract No. 2020-076A1, an Amendment to City Contract No. 2020-076 with Plan-et Communities for Prescott North and Granite Creek Corridor Area Plans.
- F. Approval of City Contract No. 2022-167, with Traffic Safety, Inc., for Annual Airport Pavement Markings in an Amount not to Exceed \$50,000.00. Funding is Available in the Airport Fund.

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 10 Beer & Wine Store Liquor License Application from Andrea Dahlman Lewkowitz, Applicant, for Natural Grocers. Location: 1470 Gail Gardner Way.

Applicant representative Amy Schroff was available via Zoom and stated that all employees are properly trained for sale of beer and wine under this liquor license.

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

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

11. REGULAR AGENDA

- A. Legislative Update.

Deputy City Manager Tyler Goodman provided a presentation to Council regarding the ongoing legislative session.

* Arizona Water Authority has been assigned to a Committee but has not yet been heard, will likely be a special session in the future to deal with this.

* AZ State Income Tax - at last year's session the legislature approved a change in Sales Tax which was blocked by a voter referendum.

Additional Bills Being Tracked:

- * HB2609
- * SB1082
- * PSPRS Drop Bills
 - SB1268: revised
 - HB2337: this is now S/E bill related to affordable housing
- * HCR2031 – agendaized for tomorrow and will be keeping an eye on that

Mr. Podracky asked if this is public and private employees.

Mr. Goodman said that it is unclear at this time.

- * SB1581
- * HB2674
- * SB1168
- * HB2276
- * HB2316
- * SB1275

Mr. Goodman added that SB1116 is a S/E bill which would make it so that cities could no longer levee short term rental taxes, have already come in as opposed as has the League. Actively working against this. In Committee at this time and will be heard in Ways/Means tomorrow morning.

This item was for discussion only, no formal action was taken.

B. Discussion and Possible Action Regarding Requests for Naming of Prescott Centennial Center.

City Clerk Sarah Siep provided a presentation to Council regarding the February 22 and March 8 Study Sessions during which applications for Major Frank Schiel Jr. and former Mayor Kuykendall were discussed. The applications have been posted on the City website and all received public comments have been shared with Council. At the March 8 Study Session, Council indicated that they would like to see an option for a facility at or more closely associated with the Airport be available for naming in honor of Major Schiel so they could move forward with naming the Centennial Center after Major Kuykendall. Since that time Airport Director Robin Sobotta has been in contact with applicants for Major Schiel regarding naming the future access road to the future SAFE Center at Prescott Regional Airport for Major Schiel. Since the March 8 Meeting staff has also received an application and request for naming the Centennial Center after Morris Goldwater. Both Upper & Lower Goldwater Lake are named for Morris, however signage in the areas could be enhanced if Council desires to do so.

Applications Received:

- * Frank Schiel - 48
- * Marlin Kuykendall - 144

Comments Received:

- * Place plaques at Centennial Center - 2
- * Name for Frank Schiel - 7
- * Name for Marlin Kuykendall - 4
- * Do Nothing - 6
- * Total - 19

Mayor Goode re-emphasized that the policy and process was originally designed by the previous Council with the intention that any requests be considered in a reasonable and deliberative manner to avoid conflict. Seems as if more controversy has developed due to the policy. Council can decide to use this policy, alter the policy, vote to eliminate it, etc.

Mayor Pro Tem Rusing commented that she supports having the naming policy and one of the main criteria is that it gives the public the opportunity weigh in on the matter and promotes transparency. She believes two options should be voted on either keeping the Centennial Center as is or changing it to Mayor Kuykendall.

Mayor Goode commented that he understands Major Schiel advocates are comfortable with waiting for a naming in his honor for a future airport access road and invited Betty Bourgault to speak.

Member of the public Betty Bourgault addressed Council regarding her efforts to have Major Schiel recognized, she was happy to hear that Dr. Sobbotta would like to have something done for Frank. There is no more she can say to us about Major Schiel, she is fine with naming the road for him but wishes there was still something that could be put up for him even his portrait. She appreciates Dr. Sobotta for bringing up the option. She never considered the Centennial Center being on the golf course but at the airport.

Mayor Goode commented that it is clear the Council supports something be named for him that ties to airport.

Councilman Moore stated that Council absolutely wants to honor Major Schiel and Mayor Kuykendall. His issue with the policy is renaming facilities that already have a name, we should not be in the business of doing that. This is a naming policy and not a renaming policy.

Councilman Sischka added that his original concern was that because of the parameters of the policy would be people coming up and tearing down others he has no problem naming the building but wants to do so in a way that honors what he wanted which would be to have it be the Marlin D. Kuykendall Centennial Center.

Councilwoman Hall asked if there is a way to just have the application for Frank Schiel amended rather than withdrawn.

Ms. Siep responded that it would be possible to make a motion to name the Centennial Center and potentially the future road so the application does not have to be withdrawn altogether.

Mayor Goode commented that Council should address the Shiel application first.

Member of the public Melissa Ruffner addressed Council regarding a 1964 Courier article regarding Arizona's Centennial and suggest Morris Goldwater's name for the Centennial Center. Major Schiel's name should be recognized as should Mayor Kuykendall, there should be a plaque with both Kuykendall and Goldwater who was the man of the Century.

Member of the public Bill Feldmeier addressed Council regarding his desire to see the Centennial Center named for Mayor Kuykendall and continue the discussion in making a commitment to honor Major Frank Schiel. This is important to everyone that has been involved in having Mayor Kuykendall

recognized. Feels by naming after Marlin we are honoring the building and it's history by naming it the way Councilman Sischka has suggested.

MOTION BY COUNCILMAN SISCHKA TO NAME A FUTURE PRESCOTT AIRPORT ROAD TO THE SAFE FACILITY AFTER MAJOR FRANK SCHIEL JR.; SECONDED BY COUNCILMAN MOORE: PASSED [6 - 1]. MAYOR PRO TEM RUSING DISSENTING.

MOTION BY COUNCILMAN SISCHKA TO NAME THE PRESCOTT CENTENNIAL CENTER THE MARLIN D. KUYKENDALL CENTENNIAL CENTER; SECONDED BY COUNCILWOMAN HALL: PASSED [4 - 3]. MAYOR PRO TEM RUSING, COUNCILMAN MONTOKA AND COUNCILMAN MOORE DISSENTING.

- C. Approval of City Contract No. 2022-157 with Fann Contracting, Inc. for the FY22 Pavement Rehabilitation Project - Phase 2, in the Amount of \$1,393,755.00. Funding is Available in the Streets Fund.

Construction Services Manager Tim Sherwood provided a presentation to Council regarding Phase 2 of the Pavement Rehabilitation Project of various roads in the Ranch subdivision. Pavement is reaching the end of it's lifecycle and will be replaced, also includes curb/gutter improvements, drainage improvements.

Councilman Montoya asked about possibility for extension of road life before entirely replacing the roads.

Mr. Sherwood responded that these were constructed in the 1980s and 1990s, there was minimal maintenance of the roads at that time and another chip seal won't help these roads. Several of the roads have very thin pavement layer and it is necessary to address those issues. Will work in toward Lee Boulevard from the east and west and then have that be one of the last roads that is addressed.

Mayor Goode thanked staff for their time and discussed communications they have had with him over the last several years to go over pavement preservation processes, etc.

Mr. Sherwood commented that they anticipate having additional information from the system and will have that information to Council at a future meeting.

MOTION BY COUNCILMAN MONTOKA TO APPROVIE ITEM 11.C.; SECONDED BY MAYOR PRO TEM RUSING: PASSED [7 - 0]

- D. Approval of Two Items Related to On-Call Planning & Environmental Services at Prescott Regional Airport as Follows: 1) Approval of City Contract No. 2022-168, for a Five-Year Contract with Dibble Engineering; and 2) Approval of City Contract No. 2022-168A1, an Amendment to City Contract 2022-168, in an Amount not to Exceed \$39,360.00, to Generate Updated Noise Contours. Funding is Available in the Airport Fund.

Airport Director Robin Sobotta provided a presentation regarding the contracts. Every five years the airport goes out for a Professional Services Agreement for these services. Will enter into agreement and then return to Council for specific items at future meetings.

**MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2022-168;
SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]**

MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2022-168A1; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

- E. Approval of City Contract No. 2022-722 with Cable Solutions Incorporated for IT Data Center Structured Cabling in an Amount not to Exceed \$227,652.00 Using State of Arizona Contract No. ASP017-169279 Pricing. Funding is Available in the IT Budget.

City Clerk Sarah Siep clarified that there was a scrivener's error in the agenda and Council's motion today should be for the approval of City Contract No. 2022-163.

IT Director Nate Keegan provided a presentation to Council regarding the contract for an upgrade to the Department's cabling which are currently at various locations and moving to one that will be more energy efficient and free up space at existing facilities. This will be a space that is built to handle what needs to be handled.

Councilman Montoya thanked staff for their time and for responding to his questions he added that redundancies are important, for example even though all of this is at a physical location is there a cloud backup for that. He also asked about the size of the facility and if staff feels it is appropriate for the long term.

Mr. Keegan responded that there is, IT always ensure they look at things from a principle of defeat and then work backward. Never store backups with the originals. He confirmed that the size is appropriate and staff has looked at what would be most appropriate for the long term. There is a necessity for a physical location as well as a digital/virtual option and IT does utilize both.

**MOTION BY COUNCILMAN MOORE TO APPROVE CITY CONTRACT NO. 2022-163;
SECONDED BY COUNCILMAN MONTROYA: PASSED [7 – 0]**

- F. Approval of City Contract No. 2022-166 for Third Floor Improvements at 201 S Montezuma Street (New City Hall) with Haley Construction using Yavapai College Job Order Contract No. 21-326, Job Order 22-COP-0007.00 in an Amount not to Exceed \$1,096,711.52. Funding is Available in the General Fund.

Deputy Recreation Services Director Tim Legler provided a presentation to Council regarding the contract for minimal impact to complete the improvements, staff has worked with an Architect and contractors to get the entire third floor improved.

Mayor Pro Tem Rusing requested that all materials used by low VOCs.

Mr. Legler responded that the flooring is a lock dot and very low VOCs, her comments made previously were taken into account.

Councilman Tenney asked staff if this will be the most expensive of the TIs that will need to be done.

Mr. Legler commented that it is likely this will be, the Council Chambers are part of this, but he cannot guarantee that will be the case.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 11.F.; SECONDED BY COUNCILMAN MONTOYA: PASSED [7 – 0]

- G. Approval of City Contract No. 2022-171 for the Purchase of a Joint Police and Fire Mobile Command Unit from Quality Vans of Tempe in an Amount not to Exceed \$500,000 Using Maricopa County Contract # 190170-S for Pricing. Funding is Available in the General Fund Through the Capacity Provided Through the Coronavirus State and Local Fiscal Recovery Funds.

Deputy Chief of Police Jon Brambilla provided a presentation to Council regarding the purchase. This is something that the Departments have been without for over five years and the previous one was an RV. They have attempted grant funding and have been unsuccessful. This is a joint item for Police and Fire and have worked closely with Fleet and IT as well.

Councilman Montoya commented this will be available for our safety personnel and stated that he feels the design looks nicer than what we have been borrowing. He also asked how long it will be until staff will have the unit.

Deputy Chief Brambilla confirmed. The company that was chosen already has much of what they need and should be an 8-9 month build time.

Mayor Goode echoed Councilman Montoya's comments and added that being able to use Federal Funds to meet the needs of our departments.

MOTION BY COUNCILMAN MONTOYA TO APPROVE ITEM 11.G.; SECONDED BY MAYOR PRO TEM RUSING: PASSED [7 – 0]

- H. Approval of RVP22-003, a Revision of Plat to Extend the Idylwild Tract Subdivision Boundary to Combine an Unsubdivided Parcel with Lot 332 and a Portion of Lot 331. Location: APNs 111-01-032 and 111-07-005E.

Community Planner Tammy Dewitt provided a presentation to Council regarding the proposed revision of plat. These are used if a density increase is happening or if they are increasing the boundary of a subdivision. This will extend the boundary of the subdivision by adding a new lot to a portion of an existing lot, this is a vacant piece of property to be combined with a lot with one single family dwelling unit.

Mayor Goode commented that these are old platted areas that need to be updated.

Ms. Dewitt confirmed.

MOTION BY COUNCILMAN MONTTOYA TO APPROVE ITEM 11.H.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0]

- I. Approval of PLN21-004, Revised Preliminary Plat of Hidden Hills Subdivision, Phases 2 and 3. Site Zoning: Single-Family 18 (SF-18). Property owner: JCI Investments, LLC. Location: APNs 106-04-001L and 106-04-001N.

Planning Manager George Worley provided a presentation to Council regarding the preliminary plat revision. Original plat came before Council and was approved to have 151 lots. This would split Phase

II into two separate Phases making it Phase II and III, and add 20 lots between the two. Phase I is not impacted at all and the final plat will be before Council soon as well. This is north is Pioneer Parkway and west of Pinion Oaks subdivision. Proposed changes add an additional cul-de-sac, reapportion lot layouts, remove the emergency access road and change open space with an increase because of decreased lot sizes. There is a proposed future road which would have access to a generalized transportation plan but is not within the Master Plan boundaries. He added that the OEI Splay only impacts the northeast corner of Hidden Hills Phase I and does not affect any of the revisions of Phase II and III.

Councilman Sischka asked if the water is coming from the Deep Well contract.

Deputy Public Works Director Gwen Rowitsch responded that Hidden Hills is within their boundary and water will come from that contract. They've already platted 718 lots and will increase to 738 and a total of 29.07 AF of water which is already in the WRMM.

Mayor Pro Tem Rusing thanked staff for including the Airport splay in the presentation and asked if the developer has committed to not putting homes in that area. She also asked about the slope issues on the west end that are preventing the access road and if homes would be placed there.

Mr. Worley confirmed that there are no homes proposed in this area. Most of the issue in the slope are in a section that are outside the boundary of the master plan and in the County. Fire Department is a reviewer and has agreed that the sprinklering of all homes in the subdivision is adequate without an access road because of those issues.

Councilman Moore asked if staff could show the boundaries of the city within the subdivision. He also asked if avigation easements will be required.

Mr. Worley reviewed the city and county boundaries. Portions of the development will require avigation easements and that has been addressed with the developer.

Mayor Goode asked for confirmation that Phase I will not have sprinklers. There are many homes that

will be forced into one entrance and exit, he has walked that road and doesn't see the slope as being too difficult to have a road for emergency egress. It is disturbing to him that there will be only one access road.

Developer Vic Chapman confirmed that Phase I will not be sprinklered and that there will be no RV parking in a separate area but some lots will have that as an option.

Mayor Pro Tem Rusing asked what the cost is to sprinkler homes.

Mr. Chapman commented that it is approximately \$5000 per home.

Mr. Worley commented that each subdivision is evaluated independently regarding their access.

Mayor Pro Tem Rusing expressed her concerns with the fact that not all of the homes in the development are sprinklered and the fact that there is only one access road.

Mr. Chapman responded that they have followed the city codes and the density is minimal.

Councilman Moore asked for confirmation that these will all be single family homes and asked if there would be enough water for all of the sprinklers to work if there were a catastrophic event.

Mr. Chapman responded that there is the major water line which they will tie into at two locations and the calculations are based on them working if needed. Will install the necessary number of fire hydrants.

Councilman Tenney asked for confirmation that the Fire Department has reviewed and approved.

Mr. Worley confirmed.

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 11.I.; SECONDED BY COUNCILMAN TENNEY: PASSED [4 – 3] MAYOR GOODE, MAYOR PRO TEM RUSING AND COUNCILMAN MONTOYA DISSENTING.

- J. Water Service Application No. WSA21-017 Submitted by Chamberlain Development Prescott LLC on Behalf of Property Owner JCI Investments LLC. Location: APN 106-04-001N, South Half, and APN 106-04-001L, North Half, Together Comprising Approximately 322 Acres. Property is in the North ½ of Section 4, Township 14N, R02W, GSRB&M.

Deputy Public Works Director Gwen Rowitsch addressed Council and stated that this application passed unanimously through the Water Issues Subcommittee in early March.

Mayor Pro Tem Rusing commented that she approved the water because she thought it was already approved.

MOTION BY COUNCILMAN TENNEY TO APPROVE ITEM 11.J.; SECONDED BY COUNCILMAN MOORE: PASSED [5 – 2] MAYOR GOODE AND MAYOR PRO TEM RUSING DISSENTING.

- K. Public Hearing for ANX21-005, a Request to Annex Four (4) Existing Developed Lots Comprising 2.05 Acres. Location: APN 107-09-006A, 107-09-006B, 107-09-006D and 107-09-006E. Addresses: 1601,1611,1616 and 1621 Cathedral Pines Dr. Owners: Heeringa, Beaver, Amend Family Trust and Welch. Applicant: Samuel Heeringa.

Planning Manager George Worley provided a presentation to Council regarding the lots adjacent to the city at the south end of town. Would like to annex in to apply for water service, system is in the immediate area and extension to the lots is a simple process. Meets all requirements of state law for annexation. This is along a private drive with existing homes on each lot. The homes are all on independent wells.

Mayor Pro Tem Rusing commented that this is an unusual circumstance because they were originally connected to city sewer.

Mr. Worley confirmed, it is connected to one of the homes but available to all of them.

Councilman Moore asked why this wasn't incorporated into the city early on and if it would be possible for the others nearby to annex as well.

Mr. Worley said that it may be possible and he is not certain why they weren't part of the boundaries to begin with.

Councilman Montoya asked if the wells will be retired when they annex in.

Mr. Worley confirmed and reiterated that it is a requirement of the annexation.

Mayor Goode commented that this is a good example of how-to best annex properties into the city.

Applicant Sam Heeringa thanked city staff for their assistance with this.

MOTION BY COUNCILMAN MOORE TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN MONTOKYA: PASSED [7 – 0]

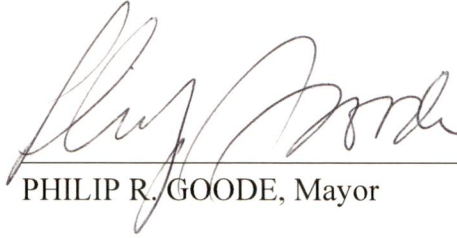
MOTION BY COUNCILMAN MOORE TO APPROVE ANNEXATION ANX21-005 AND ESTABLISH THE ZONING AS SINGLE-FAMILY (SF-12); SECONDED BY COUNCILMAN MONTOKYA: PASSED [7 – 0]

12. ADJOURNMENT

Mayor Goode commented that leadership and commitment to fighting for freedom in Ukraine makes our local concerns pale in comparison. He has always been a fan of Winston Churchill

and feels that President Zalinsky is speaking for many oppressed people and the courage he's been able to generate reminds him of Churchill. He salutes President Zalinsky and all of the Ukrainians fighting against the Russian war machine.

There being no further business to discuss, Mayor Goode adjourned the meeting at 5:54 p.m.



PHILIP R. GOODE, Mayor

ATTEST:

 *fn:*

SARAH M. SIEP, City Clerk

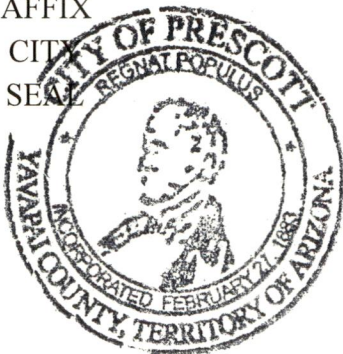
CERTIFICATION

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 March 22, 2022. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 22nd day of April, 2022.

AFFIX

CITY
SEAL



 *fn:*

Sarah M. Siep, City Clerk