



CITY COUNCIL VOTING MEETING

VOTING MEETING MINUTES

TUESDAY, JANUARY 26, 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

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON JANUARY 26, 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 3:01 pm.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Scholl commented that she hopes everyone is staying safe and warm during the storm. She also advised people who had scheduled vaccinations to check the schedule for information regarding any changes due to inclement weather.

3. INVOCATION

Reverend Dale Skurla was not present and no Invocation was provided.

4. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Scholl

5. ROLL CALL

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

6. PROCLAMATIONS

A. Downwinders Day of Remembrance

B. 100th Anniversary Bucky O'Neill Post 541

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 COUNCILMAN SISCHKA TO APPROVE CONSENT AGENDA ITEMS

7.A. THROUGH 7.E.; SECONDED BY MAYOR MENGARELLI: PASSED [6-0].

- A. Approval of Minutes from the January 12, 2021 Executive Session, and the January 12, 2021 Voting Meeting.
- B. Approval of City Contract No. 2021-099 with ePlus Technology Incorporated for Fortinet Annual Support and Maintenance in an Amount not to Exceed \$38,512.10 using National Cooperative Purchasing Alliance (NCPA) Contract 01-97 Pricing. Funding is Available in the General Fund.
- C. Approval of City Contract No. 2021-098 to Dukes Root Control, Inc., for Application of Root Control Herbicide in City Sewer Mains, in an Amount not to Exceed \$140,000.00 Annually, for up to Three Years. Funding is Available in the Wastewater Fund.
- D. Approval of City Contract No. 2021-104, a Professional Services Agreement with Streetlight Data Inc. in the Amount of \$30,000 for Collection and Processing of Digital Traffic Data. Funding is Available in the FY21 Street Fund.
- E. Approval of CSP20-005, a Comprehensive Sign Plan Amendment at the Depot Marketplace Shopping Center to Add a Center Pylon Sign at the Intersection of Sheldon Street and Montezuma Street. Location: 303 N Montezuma Street (APN 113-18-005); Property Owner: Zemplen Joy De Personal Trust; Applicant: Bootz & Duke Sign Company.

8. CONSENT ORDINANCE

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT CONSENT ORDINANCE ITEMS 8.A. AND 8.B.; SECONDED BY COUNCILMAN SISCHKA: PASSED [6-0].

- A. Adoption of Ordinance No. 2021-1740 Authorizing the Acceptance of a Water Line Easement, from Embry-Riddle Aeronautical University, Inc.
- B. Adoption of Ordinance No. 2021-1744 Replacing Prescott City Code Chapter 1-20.

9. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 3 In State Microbrewery Liquor License Application from Drew William Pool, Applicant, for Wren House Brewing Co. Location: 6396 Lear Lane.

Applicant Drew Pool was present and addressed Council regarding the new brewing location in Prescott. Wren House has been a standout brewery in Phoenix and are currently coming off a Gold Medal Win at the Great American Brew Fest for their IPA. They have staff in the area to get things going and are excited to be in Prescott. Hope to open a tap room soon as well.

Mayor Mengarelli welcomed Wren House Brewing to Prescott and thanked them for their investment in the City.

MOTION BY COUNCILMAN SISCHKA TO CLOSE THE PUBLIC HEARING; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [6-0].

MOTION BY COUNCILMAN SISCHKA TO APPROVE ITEM 9.A.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [6-0].

10. REGULAR AGENDA

- A. Adoption of Resolution No. 2021-1767 Approving City Contract No. 93-116A2 an Amendment to City Contract No. 93-116 to the Intergovernmental Agreement for Sewage Treatment Service Between the Iron Springs Sanitary District and the City of Prescott.

City Attorney Jon Paladini provided a presentation to Council regarding the dissolution of this District which has previously been discussed. The District will be dissolving in March and this IGA will contemplate that dissolution and transfers all assets will be conveyed to the city. The District has been

working with the city on repairs to the system and everything has been taken care of, these will be owned and maintained by the city at that point.

Public Works Director Craig Dotseth commented that there are a few minor items that still need to be handled, but all major items and easement acquisitions have been handled. It was an extensive list and they have been working on it diligently.

Councilman Goode commented that this has been reviewed extensively and the infrastructure is capable of providing delivery to the city adequately. This makes so much sense for the future ability to maintain quality sanitary sewer in the area.

Councilman Blair thanked the District Board Members and Public Works staff for working on getting this resolved. He also asked if the development is in city limits or not.

Mr. Dotseth responded that there are four areas in the District (Wildwood, Kingswood, Kingswood Heights and Mobile Home Park) and only Kingswood is within city limits.

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ITEM 10.A.; SECONDED BY COUNCILMAN SISCHKA: PASSED [6-0].

- B. Adoption of Ordinance No. 2021-1743 Amending City Code, Title XVII General Engineering Standards, Chapter 4, Section 4.7.2 Water Main Pipes and Materials; Amending Quad City Standard Detail 100Q and Deleting COP Standard Detail 200P-2 to Prohibit the Use of Polyvinyl Chloride (PVC) Pipe for New Water Main Installations.

Public Works Director Craig Dotseth provided a presentation to Council regarding proposed revisions and deletions to the Prescott City Code related to PVC pipe in city water system. Have been replacing and repairing PVC for 25 years and this has been a topic of discussion for some time. In 2016 when GES was introduced and adopted this was discussed extensively, but recently two major failures brought the subject forward again more recently. He added that local contractor Mike Fann contacted staff and requested that the item be postponed to allow for additional communication between industry contractors and Public Works staff. Either way Council decides to go, the recommendation will not change but will allow staff to share additional information with industry partners for them to understand where they are at. If this is postponed until Feb. 23rd, partners need to agree to work with staff to review/discuss, but in his opinion this has taken far too much time and would need to be able to have staff bring forward for adoption at that time.

Councilman Blair commented that for the sake of full transparency council owes it to industry partners to be able to give a presentation. Need to have them back at the table, has been contacted by a number of contractors regarding this item. He is in no rush in having it done today.

Councilman Sischka stated that it seems the problem is in the installation and not in the quality of the product. He has no problem in hearing out the industry but the problem he sees is that if the problem is

in the installation what can be done about it.

Mayor Pro Tem Scholl added that she doesn't have any issue waiting another month, but asked for clarification from staff that they don't anticipate their recommendation changing but want to meet with industry partners further regarding what they are proposing. She also asked if there are any projects in the pipeline in the next month that this would affect.

Mr. Dotseth confirmed and added that it would only impact projects in the review phase that would be finalized in the next month.

Councilmember Rusing stated that with all due respect to Mr. Fann this has been an ongoing issue and this hasn't been a decision made in haste. Ductal iron is more forgiving and a better fit for our soil. She added that she was prepared to vote today and would like to not delay it any further.

Councilman Goode commented that he feels PVC as a product is adequate for many municipalities around Arizona and the country, however, our topography is unique and it can create problems here. It is very common and likely that the PVC will fail here and it costs vast amounts of money for the taxpayers. Council has spent considerable time on this and looked at what has been sent by Mr. Fann and area contractors, doesn't see any reason to postpone.

Mayor Mengarelli thanked Mr. Dotseth for the study session presentation and his staff's time on this item. Not debating on this Council whether we go with this, but would like the opportunity to collaborate with industry partners and he is fine with that as long as staff stands firm on protecting our rate payers.

Councilman Sischka asked staff to address whether the DIP will service water or water and sewer.

Mr. Dotseth responded that it is only the water delivery system, it would not change any of the other standards.

Member of the public Peter Kroopnick asked if the city has the proper inspectors to look at these situations to check the area before the pipes are installed.

Member of the public Ralph Hess addressed Council and thanked them for allowing industry partners the opportunity to speak with them before moving forward and suggested that they extend the same courtesy to other special interest groups.

YCCA Member Sandy Griffis thanked staff for their presentation and for communicating with their industry partners who have worked closely with them in the past. A vast amount of partners are interested and invested in this possible change, and in 2016 the GES was thoroughly vetted, it was an extensive process but in the end it was supported by the industry and hopes that will be the case again. Would like to discuss new approaches and processes because a solution is not cut and dry.

Mayor Mengarelli commented that while today DIP seems to be the best for Prescott that may not be the case in the future and the GES should be crafted to accommodate for that in the future.

Mr. Dotseth concurred and responded that the language is drafted for that very opportunity, not listed that it will only be DIP but rather that it will not be PVC. He also addressed Mr. Kroopnik's question and added that the soil type and lack of soil impact the piping and the installation of the pipe particularly on rocks can present a problem. PVC pipe does not have the capability to withstand those negative influences.

Councilman Blair asked if the different pressure zones creates a problem as well.

Mr. Dotseth confirmed and said that is part of the issue with cyclical failure of PVC because it cannot withstand the wide range of pressures.

Councilmember Rusing asked if DIP has less resistance and friction than PVC pipe and will therefore save energy pumping water throughout the system. She also asked if the more sustainable materials that it is made of will make it more sustainable and cost effective.

Utilities Manager Eric Bay confirmed responded that DIP does come with passive savings built in because of the materials with which it is built.

Mr. Dotseth confirmed recommendation to table and staff will work with industry partners before bringing the item back on February 23rd.

MOTION BY COUNCILMAN SISCHKA TO CONTINUE ITEM 10.B.; SECONDED BY MAYOR PRO TEM SCHOLL: PASSED [6-0].

- C. Approval of City Contract No. 2021-105 with Kimley-Horn for Engineering and Design Services for the Granite Creek Corridor in the Amount of \$179,178.00. Funding is Available in Both the General Fund and from Public Works.

Assistant to the City Manager Tyler Goodman provided a presentation to Council regarding design and engineering of the riparian/stormwater improvements and trail and amenities. This was a very competitive bid process. They'll be working with Natural Channel Design who helped with the Master Plan so this will be a great help to the team. Overall cost will be split between the General and Public Works funds, but added that with the submission of the application for grant funding that was previously approved by Council staff anticipates the impact to the General Fund will be reduced by approximately \$50,000.

Councilman Sischka commented that this is one of the best projects for Prescott and he supports it.

Mayor Pro Tem Scholl echoed Councilman Sischka's comments.

Councilmember Rusing stated that this project has already attracted new investment in the area and she is excited to see that.

Councilman Goode added that when this project is completed it will be a landmark for the downtown core making it even more attractive than it is today. He is pleased that we may be able to get grant funding to reduce the impact on the general fund.

Councilman Blair thanked staff for their work on this and added that he would like to see how long design will take before construction begins.

Mr. Goodman responded that stormwater/riparian improvements will be focused on first then the trail and amenities. The plan is to begin construction in July and anticipate project completion in a year from that time.

Mayor Mengarelli thanked Mr. Goodman.

Member of the public Peter Kroopnik commented that he supports this project and added that we need to ensure there is flood control in the area in non-drought conditions.

Mr. Goodman responded that nothing is contemplated within this project to address flooding because it is a floodplain and that is to be expected, but it will address how storm water enters the trail.

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE ITEM 10.C.; SECONDED BY COUNCILMAN SISCHKA: PASSED [6-0].

D. Legislative Update

Assistant to the City Manager Tyler Goodman provided a presentation to Council regarding the ongoing legislative session with over 1000 bills already submitted. House and Senate deadlines will be in the next week or two for submission.

Executive Budget:

- * Not yet in bill form

- * One of the biggest impacts will be the in bill form is proposed Income Tax Cuts beginning in 2022 and growing up to \$600 million in 2024. When implemented municipalities will see impacts two years after tax year but anticipate that impact to Prescott would be approximately \$680,000 beginning in 2026.

Bill Overview:

- * HB2481 (Short Term Rentals) - allowing cities to pursue zoning limitations

- * HB2310/HB2420/SB1333 (Law Enforcement Budgets) - would allow the AG to investigate any action by the city that reduces a budget by 10% or more from a previous year. Cities and the League are

opposed to this.

* HB2152 (Body Cam Redactions) - related to redactions before information is released and places an undue burden on municipalities.

* SB1101/HB2161 (Tourism Marketing Authorities) - was seen at last session but did not go through due to early closure. Related to the distribution of funds specifically for marketing and tourism would come from additional taxes and fees.

* A few bills have not been introduced, but are anticipated

– Prime Contracting

- Cancer Presumption (would amend previous law passed, taking away ability to rebut the presumption and add Breast/Ovarian Cancer to the list) would like to create a funding mechanism to ensure burden doesn't solely fall on employers but state fund would help supplement.

Mr. Goodman added that this item will continue to come back to Council during the session and he will bring forward details as they are available.

Mayor Pro Tem Scholl asked how they are convening this year.

Mr. Goodman responded that there are different rules for each chamber. Senate is all virtual while the House is more hybrid.

Councilman Goode asked how many more bills are anticipated before deadline.

Mr. Goodman commented likely 200-300 more. In House there is a rule that after a certain date a member can no longer introduce bills but prior to that they can introduce as many as they'd like.

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

11. ADJOURNMENT

Quotes:

"The pitcher has got only a ball, I've got a bat so the percentage of weapons is in my favor and I let the fella with the ball do the fretting." - Hank Aaron

"About the only problem with success is that it does not teach you how to deal with failure."

- Tommy Lasorda

There being no further business to discuss, Mayor Mengarelli adjourned the meeting at 4:21 p.m.



GREG MENGARELLI Mayor

ATTEST:

Sarah M. Siep
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 January 26, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 11 day of February, 202~~0~~¹.

AFFIX
CITY
SEAL



Sarah M. Siep
Sarah M. Siep, City Clerk