



CITY COUNCIL VOTING MEETING MEETING

VOTING MEETING AGENDA

TUESDAY, JANUARY 24, 2023, 3:00 PM

201 S. Cortez Street

Prescott, AZ 86303

City Council Chambers

Phil Goode, Mayor

Brandon Montoya, Mayor Pro Tem

Connie Cantelme, Councilwoman

Eric Moore, Councilman

Cathey Rusing, Councilwoman

Steve Sischka, Councilman

Clark Tenney, Councilman

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

Viewing & Participation

This meeting may be viewed on Channel 64, Facebook Live or on the City's website: [Live Prescott City Council Videos](#)

Public comments for Council may be submitted through the City website: [Public Comment Form](#)

- 1. CALL TO ORDER**
- 2. INTRODUCTIONS / ANNOUNCEMENTS**
- 3. INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist**
- 4. PLEDGE OF ALLEGIANCE - Mayor Pro Tem Montoya**
- 5. ROLL CALL**
- 6. PRESENTATIONS**
 - A. Presentation from Vinny Gallegos with CYMPO Regarding Ongoing Projects**
 - B. Presentation from Sherri Hanna Regarding Downwinders**
 - C. Presentation to the 2022 Prescott Fire Department Firefighter of the Year Brandon Scott**
- 7. OPEN CALL TO THE PUBLIC**

The City of Prescott welcomes public engagement and residents may comment & address Council on matters NOT included on the Agenda during the Call to the Public. Please complete

a green speaker card and submit it to the City Clerk prior to the meeting being convened. Speakers are limited to four (4) minutes, and the Call to the Public will be limited to forty (40) minutes in total.

Please Note: Pursuant to A.R.S. §38-431.01(H), members of the Council may NOT discuss items that are not specifically identified on the Agenda and, therefore, interaction will be limited to the following:

- 1) Responding to criticism*
- 2) Requests to staff to investigate & report on the matter*
- 3) Request that the matter be scheduled on a future agenda*

8. 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.

Recommended Action: MOVE to approve Consent Agenda Items 8.A. through 8.H.

- A. Approval of Minutes from the January 3, 2023 Special Workshop Meeting, the January 10, 2023 Executive Session, the January 10, 2023 Study Session, the January 10, 2023 Voting Meeting.
- B. Approval of City Contract No. 2023-139 with Empire Power Systems for the Purchase of Two Replacement Standby Generators Utilizing Sourcewell Cooperative Purchasing Contract #120617-CAT in the Amount of \$58,241.00. Funding Is Available in the Wastewater Fund.
- C. Approval of City Contract No. 2023-140 with SAK Construction LLC for Cured-in-Place Pipe Lining Utilizing Omnia Partners Cooperative Purchasing Contract #R220402 in the Amount of \$149,166.00. Funding Is Available in the Wastewater Fund.
- D. Approval of City Contract No. 2023-133 with Ferguson Waterworks for the Purchase of Radio-Read Water Meters in an Amount not to Exceed \$150,000.00 Annually. Funding is Available in the Water Fund.
- E. Approval of CSP22-004, a Proposed Comprehensive Sign Plan Amendment for Prescott Center of Fine Arts Digital Reader Sign Height at 222 N Marina Street. Property Owner: Prescott Fine Arts Association. Applicant: Wayne Sanford/Otwell Architects. Location: APN 113-16-014.
- F. Approval of City Contract No. 2023-148 an ADA Resolution Agreement with the U.S. Department of Education, Office for Civil Rights.
- G. Approval City Contract No. 2023-149 with AquaFlow International Inc. for the Purchase of Equipment to Upgrade the EZ Street Bulk Water Station in the Amount of \$47,753.00 with

Ongoing Fees in the Amount of \$0.10 Per Transaction. Funding is Available in the Water Enterprise Fund.

- H. Approval of City Contract No. 2023-001A1, an Amendment to City Contract No. 2023-001 with Ateam Electrical for the Installation of a Replacement Generator for Prescott Regional Communications Center (PRCC) in the Amount of \$37,450.93 Including Applicable Taxes. Funding is Available in the PRCC Budget.

9. CONSENT ORDINANCE

Recommended Action: MOVE to adopt Consent Ordinance Items 9.A. through 9.C.

- A. Adoption of Ordinance No. 2023-1817 Granting a Private Sewer Easement to Thomas Contini.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE GRANTING OF A PRIVATE SEWER EASEMENT AGREEMENT TO THOMAS CONTINI, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID GRANTING

- B. Adoption of Ordinance No. 2023-1820 Authorizing the Granting of a Utility Easement to Arizona Public Service Company.

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

- C. Adoption of Ordinance No. 2023-1821, Amending Title VII, Chapter 7-4-25 - Municipal Solid Waste Fees and Adding a Severance Clause; and Adoption of Resolution No. 2023-1847 Declaring Chapter 7-4, Section 25 Entitled "Solid Waste Management" and the Attachment Exhibit Entitled Exhibit A Attached Thereto as a Public Record.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE VII, CHAPTER 7-4, SECTION 25 (C – H); AND ADDING A SEVERANCE CLAUSE

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THE DOCUMENT FILED WITH THE CITY CLERK ENTITLED “CHAPTER 7-4-25: SOLID WASTE MANAGEMENT”

10. LIQUOR LICENSES

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Jian Mike Chen, Applicant, for WZ Asian Bistro Sushi & Bar. Location: 576 Miller

Valley Road.

Recommended Action: 1) MOVE to close the public hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License No. 220094 for new Series 12 Restaurant liquor license application for WZ Asian Bistro Sushi & Bar. Location: 576 Miller Valley Road.

11. REGULAR AGENDA

- A. Update Regarding the Mayor's Charter Review Commission.

Recommended Action: This item is for discussion only. No formal action will be taken.

- B. Legislative Update.

Recommended Action: This item is for discussion only. No formal action will be taken.

- C. Approval of City Contract No. 2014-165A2 with Indigo Sports LLC (formerly known as Billy Casper Golf LLC) to Add Golf Course Agronomy & Maintenance Responsibilities in the Amount of \$30,000.00 Annually for Five Years. Funding is Available in the General Fund.

Recommended Action: MOVE to approve City Contract No. 2014-165A2

- D. Approval of PLN22-003, a Preliminary Plat of Peregrine Ridge at Prescott Lakes PAD Subdivision, a 54-lot Subdivision on a 26.44 Acre Parcel Located East off of Prescott Lakes Parkway Via Smoke Tree Lane Extension. Site Zoning: BG (Business General) and MF-M (Multi-Family-Medium Density). Property Owner: Bear Creek Holdings LLC. Applicant: Lyon Engineering. Location: APNs 106-13-034K and 106-18-067N.

Recommended Action: MOVE to approve PLN22-003

- E. SITE22-014 & WSA22-033: Site Plan Review & Water Service Application for a 209 Unit Apartment Complex on Approximately 13.9 Acres. Zoning: MF-M (Multi-Family- Medium Density). Property Owner: The Tanbic Company. Applicant: Granite Basin Engineering. Location: APN 103-20-596S, Southwest Corner of Gateway Boulevard and Palmer Lane.

Recommended Action: 1) MOVE to approve or deny SITE22-014; and 2) MOVE to approve or deny WSA22-033

- F. SITE22-017 & WSA22-026: Site Plan Review & Water Service Application for a 81,600 Square-Foot Building with Leasable Suites on Approximately 4.0 Acres. Zoning: IL (Industrial Light). Property Owner: Investment Potential LLC. Applicant: NCC Prescott. Location: APNs 102-03-046 thru 102-03-049, 2218 Cirrus Drive.

Recommended Action: 1) MOVE to approve or deny SITE22-017; and 2) MOVE to approve or deny WSA22-026

- G. Approval of City Contract No. 2023-129 with WSP (Formerly Wood Environmental) for Design and Related Engineering Services for the Watson Lake Water Enhancement Project in the Amount of \$108,870.00. Funding Is Available in the Aquifer Protection Fund.

Recommended Action: MOVE to approve City Contract No. 2023-129

- H. Approval of City Contract No. 2023-137 with Priority Ambulance to Provide Dispatch Services for Emergency Medical Services & Transport Through the Prescott Regional Communications Center (PRCC).

Recommended Action: MOVE to approve City Contract No. 2023-137

- I. Discussion for Review and Approval of the City of Prescott 2023 Strategic Plan.

Recommended Action: MOVE to approve the City of Prescott 2023 Strategic Plan

12. 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:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) 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));
- (5) 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));
- (6) 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));
- (7) 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)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 72 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at www.azrelay.org

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



Sarah M. Siep, City Clerk