



City of Prescott

City Council - Voting Meeting

September 12, 2023 | 3:00 PM
201 N Montezuma Street
City Council Chambers, 3rd Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

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

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Montoya welcomed Councilman Elect Ted Gambogi and Councilwoman Elect Lois Fruhwirth who were present in the audience. He added that prescottwater.com is now live and provides water specific information for citizens. Bulk item collection is taking place from September through October, and the week beginning September 18 will be for Wednesday trash pickup. All items need to be placed on the curb by 6:00 a.m. Visit prescottrecycles.com for additional information. He thanked everyone who attended the recent General Plan Open House and encouraged citizens to share their feedback and thoughts. Finally, the SR89 public outreach and planning is underway. There is no formal design in place for this project and citizens can visit the online meeting room to share thoughts and get additional information.

Mayor Goode added that two WWII veterans recently passed their 100th Birthdays, and he recognized Jerry Welna who turned 100 on September 3 and Al Cheney will turn 103 on September 19.

3. INVOCATION - Lynda Bennett with the Church of Jesus Christ of Latter-day Saints Groom Creek Ward

4. PLEDGE OF ALLEGIANCE - Councilwoman Cantelme

5. ROLL CALL

Phil Goode - Mayor
Brandon Montoya - Mayor Pro Tem
Connie Cantelme - Councilwoman
Eric Moore - Councilman
Cathey Rusing - Councilmember
Steve Sischka - Councilman
Clark Tenney - Councilman

6. PROCLAMATIONS

- A. Team Ani Noquisi Day - September 12
Councilman Sischka presented the Proclamation.
- B. Constitution Week 2023 - September 17-23
Mayor Goode presented the Proclamation.

- C. Prescott Highland Games & Celtic Faire Week - September 18-26
Councilman Moore presented the Proclamation.

7. OPEN CALL TO THE PUBLIC

A. Elaine Garley addressed Council regarding Senator/Haisley Crosswalk and speed on Senator Highway. She stated that she had spoken previously to the Council and requested a crosswalk. She thanked staff, Council and PBTAC regarding following through and installing the requested crosswalk. She requested that speed signs be replaced as they have been removed due to the Juniper construction and there are major speed issues in the area.

B. Gwen Parker addressed Council regarding noise and traffic from the County Fair. She has lived in the area for 30 years and stated that traffic, noise during the County Fair over the last weekend was terrible. She did contact the Police Department but they told her they wouldn't go ask them to turn the bass down; additionally there were cars parked all along Gail Gardner Way which is not allowed.

8. CONSENT AGENDA

MOTION BY COUNCILMAN TENNEY TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.D., EXCLUDING ITEM 8.B.; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

- A. Approval of Meeting Minutes from the August 22, 2023 Study Session and the August 22, 2023 Voting Meeting.
- B. Adoption of Resolution No. 2023-1865 Establishing the Civic Enhancement Committee by Dissolving and Combining the Functions of the Acker Trust Board, the Art in Public Places Committee, the Library Advisory Board and the Parks & Recreation Advisory Board.

Councilmember Rusing pulled this item for further discussion, she stated there has been discussion from the public regarding whether this will limit public participation, she asked if there will be an open call to the public.

City Clerk Sarah Siep stated that all meetings of this new Committee will be open to the public as all Board Commission and Committee (BCC) meetings are, and that an open call to the public is at the discretion of the Chair and Vice Chair of the Committee. She added that the City of Prescott has a significantly large number of active BCCs which requires a great deal of staff time and focus. Her department has been working with the City Attorney's office to review the active BCCs and make determinations on where consolidations could be made. All of these BCCs have overlapping departments and focuses and can be consolidated in order to establish a regular meeting schedule in order to meet the needs.

City Attorney Joseph Young added that this new BCC can serve the needs of each of the four boards, meet consistently and address the concerns of these boards.

Mayor Pro Tem commented that Acker only meets once or twice a year, as does

the Art in Public Places, but he is concerned regarding the Library Advisory Board and the Parks/Recreation Advisory Board.

Mr. Young stated that the quarterly meetings would cover the needs and any additional meetings could cover any additional topics that may come up.

Ms. Siep added that the Library Advisory Board and Parks/Recreation Board meet as needed, sometimes quarterly.

Councilman Sischka asked how many people will be on the Committee. He asked if we are doing justice to specialized focus.

Ms. Siep responded that there will be seven members on the Committee. She added that there could be a requirement for specific focus if Council felt that was necessary.

Mayor Goode commented that he has received a lot of comments on the city's vast number of BCCs and the significant burden on staff to meet the needs of these BCCs and he agrees that these committees are occasional and having a combined committee would be able to address the concerns of each of the current committees on a more regular and consistent basis.

MOTION BY MAYOR PRO TEM MONTOYA TO ADOPT RESOLUTION NO. 2023-1865; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

- C. Approval of Appointment of Thomas Hutchison as One of Two Planning & Zoning Commission Members to the General Plan Review Committee, Replacing Councilman Elect Ted Gambogi.
- D. Approval of City Contract No. 2024-074 with Pavement Restoration Inc., for the FY24 Pavement Rejuvenation Phase 1 Project in the Amount of \$229,853.83. Funding is Budgeted and Available in the Streets Fund.

9. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2023-1839 Accepting a Public Utility Easement from Both Prescott College and WSH Hospitality, LLC.
Public Works Director Gwen Rowitsch stated that this is a straightforward acceptance of the public easements. All publicly maintained infrastructure will meet requirements.

MOTION BY COUNCILMEMBER RUSING TO ADOPT ORDINANCE NO. 2023-1839; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)

10. LIQUOR LICENSE

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Vitalina Alcantar, Applicant, for Mi Tierra Mexicana. Location: 1317 E. Gurley Street.

MOTION BY COUNCILMEMBER RUSING TO CLOSE THE PUBLIC HEARING;

SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

MOTION BY COUNCILMEMBER RUSING TO APPROVE ITEM 10.A.;
SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

- B. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Amanda Mae Adam, Applicant, for Bear & Dragon. Location: 334 S Montezuma Street.

Applicant Amanda Mae Adam addressed the Council regarding their cafe, which is currently a food truck downtown, and will be establishing a brick and motor in the old rock house. They will be serving lunch and dinners on Friday and Saturday, and are excited for great coffee, food and drinks.

Mayor Goode asked where the name came from.

Ms. Adam responded that they wanted a literary theme and it was named for their children's nicknames.

MOTION BY COUNCILMEMBER RUSING TO CLOSE PUBLIC HEARING;
SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

MOTION BY COUNCILMEMBER RUSING TO APPROVE ITEM 10.B.;
SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

11. REGULAR AGENDA

- A. Adoption of Resolution No. 2023-1867 Accepting a Surface Water Improvement Grant from the Arizona Department of Environmental Quality (ADEQ), in the Amount of \$98,338.00.

City Manager Katie Gregory introduced the item and the grant acceptance for evaluating storm water infrastructure sites and introduced Environmental Coordinator Matt Killeen to discuss.

Mayor Goode stated that many in the community are concerned about water and he wanted to highlight this item.

Mr. Killeen stated that this can address some of the adaptation strategies that are being affected by climate change in a variety of ways. We will also focus on disadvantaged areas, so all portions of our community will have advantages to these types of features.

Councilmember Rusing stated that she is excited to hear these are green stormwater basins and asked how they'll mimic nature.

Mr. Killeen said these tools take what nature does and adapt it to a concrete area like downtown by diverting to basins, this will beautify our city.

Mayor Pro Tem Montoya asked staff to discuss the process of applying for grants.

Mr. Killeen responded that he was notified of the grant opportunity and rushed the application through in two weeks. He and Management Analyst Nicole Metcho put

the package together to hit on the key points they were looking for as well as coordinating with a consultant who specializes in these types of applications.

Councilman Tenney thanked staff for their efforts and commented on the substantial amount of grants that staff works on applying for.

MOTION BY COUNCILMEMBER RUSING TO ADOPT RESOLUTION NO. 2023-1867; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (7 - 0)

- B. Approval of City Contract No. 2024-064 with CLM Earthmovers, LLC for the Garden & Western Sewer and Street Improvement Project in the Amount of \$1,480,248.85. Funding is Budgeted and Available in the Streets & Wastewater Funds.

City Manager Katie Gregory introduced the Item and Capital Program Manager Tim Sherwood to discuss the project.

Mr. Sherwood stated that this project would take place on Garden Street between Gurley and up to Western over to Gurley. These areas have been identified in the pavement management program as being in need of repairs. License, bonding and past references have been verified.

Councilmember Rusing stated this is one of the iconic older areas in the city and she wanted to make sure that it's integrity will be protected through this project.

Mr. Sherwood confirmed.

MOTION BY COUNCILMAN MOORE TO APPROVE CITY CONTRACT NO. 2024-064; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

- C. Approval of City Contract No. 2024-072 with Civiltec Engineering Inc. for Design of the Hornet Drive Drainage Improvements, Phase 2, in an Amount not to Exceed \$71,242.00. Funding is Budgeted and Available from the Yavapai County Flood Control District Intergovernmental Agreement for FY24.

City Manager Katie Gregory introduced the Item and Water Resource & Environmental Services Manager Brian Ruiz to provide a presentation.

Mr. Ruiz provided a presentation regarding the Hornet Drive Phase II Improvements. Yavapai Hills subdivision began platting in 1974 and until 2005 very little drainage management was considered, which created issues that staff has been dealing with for some time. He reviewed a map of the drainage area along Hornet, where the design for this project will be focused.

Scope of Services:

- * Design Services - kickoff meeting and site visit, conceptual options and review meeting
- * Supplemental field services
- * 30% conceptual design and review meeting
- * 60% preliminary design and review meeting
- * 90% pre-final design and review meeting draft technical memorandum
- * Final design for all improvements with utility coordination

Mr. Ruiz added that this is just for engineering and design at this time and not for construction.

Mayor Pro Tem Montoya commented that he appreciates how the staff has worked to address issues that have been brought forward at the call to the public and takes them seriously. He feels this really shows the impact staff can have.

Councilmember Rusing asked if property owners had suffered flood damage.

Mr. Ruiz responded that it has been mostly yard and landscaping items and one garage. The goal is to alleviate these issues.

Councilman Tenney asked if construction costs would come from the Yavapai Flood Control Funds as well.

Mr. Ruiz confirmed.

Councilwoman Cantelme stated that this plat was approved in the 1970s and asked about the timeframe requirements for topography, grading and drainage plans.

City Attorney Joseph Young responded that there are a lot of factors related to that, but designs are reviewed as part of our process, which is important as well.

Public Works Director Gwen Rowitsch added that under the current codes (since the early to mid 1990s) there are no drainage codes or criteria in place because over time those criteria change. Designed for a 25-year event, and in Yavapai Hills and the Ranch there have been multiple microburst events over the last ten years. Nobody under built or designed in these areas, so when these types of issues come up staff goes out to evaluate what we can do. Staff will take a holistic view to see how this area can be improved for the residents and that is how we address these.

Mayor Goode asked if it is possible that poor design, settling over the years, drainage and erosion etc. could have all contributed to these issues.

Ms. Rowitsch stated it is likely a combination.

MOTION BY COUNCILMEMBER RUSING TO APPROVE CITY CONTRACT NO. 2024-072; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)

- D. Approval of City Contract No. 2024-073 with CLM Earthmovers, LLC, for the FY23 Miscellaneous Concrete Repairs Phase 2 Project in the Amount of \$648,302.25. Funding is Budgeted and Available in the Streets Fund.
City Manager Katie Gregory introduced the item and Capital Program Manager Tim Sherwood to discuss concrete repairs throughout the city.

Mr. Sherwood provided a presentation regarding this annual program. This is the second phase that will remove, replace or repair concrete in various locations throughout the city.

Councilman Moore asked about budgeting for sidewalk repair and commented that there is a real need for this type of work and repair. There is extensive travel over by the high school and he has mentioned that this area should have sidewalks but was told there is no money for that.

Mr. Sherwood responded that this budget is for repair and replacement of existing sidewalks, not full capital projects that would be required for new curb/gutter/sidewalk.

Councilmember Rusing asked about Leroux and Granite Street and what would be done in that area.

Mr. Sherwood responded that he will need to get back to her on that inquiry as he doesn't have specific details regarding every area of work.

Mayor Pro Tem Montoya asked what the process is for identifying areas that need these improvements and if there is a standard that exists as there is with pavement but for this type of work.

Mr. Sherwood stated that much of it is public feedback and staff out in the area as well. One of the goals for when the entire city is surveyed is to include sidewalks/ramps/curb/gutter. There isn't a PCI type of measurement like what is used for streets that would be applicable for sidewalks. Moreover, sidewalks adjacent to property are the owners' responsibility to maintain.

Councilwoman Cantelme thanked staff for addressing these issues and commented that these improvements in the older areas make such a big difference.

Mayor Goode stated that this isn't a small contract, and was curious why nobody else responded.

Mr. Sherwood said that he isn't sure, but sometimes projects where there are improvements all over town can reduce the number of bidders. It is also tedious work and there are contractors that are very busy with large projects.

MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2024-073; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

- E. Approval of PLN23-001, a Preliminary Plat of Luxelocker Condo Storage Facility at Deep Well Ranch, a 126 Unit Subdivision on an Approximate 6.8 Acre Parcel Located on the Southeast Corner of the Intersection of N State Route 89 and Deep Well Ranch Road. Site Zoning: SPC (Specially Planned Community). Property Owner: Prescott Storage Partners LLC. Applicant: Lyon Engineering. Location: APN 102-08-057F.

City Manager Katie Gregory introduced the item and Planning Manager George Worley to provide the presentation.

Mr. Worley reviewed the preliminary plat proposal for a condominium style storage facility. The location will have access off of Dells Road in close proximity to the airport and, due to that staff worked closely with the developer to ensure

that the units would not be occupied residentially. Through work with Public Works, staff and the developer determined that a waiver making it so water will not be provided for each unit would be an appropriate method to monitor this. The application meets all requirements for preliminary plats, Traffic/Engineering, Airport, Public Works and Planning and Development have all reviewed and approved the project and the Planning & Zoning Commission unanimously recommended approval at the end of June.

Councilmember Rusing commented that this is on a prominent corner and at the entrance to the terminal for which there is no signage for the terminal. She feels we need proper signage for the roundabout.

Councilwoman Cantelme asked if the owner has decided to use one water meter.

Mr. Worley responded that it will be a master metered facility with water available at specific locations.

Mayor Goode asked to hear from Airport Director Robin Sobotta regarding any future impacts.

Dr. Sobotta stated that she has reviewed the plans and is happy they have added in the restrictions for residential. It is a lengthy set of CC&Rs which is helpful and will be submitted for the necessary airspace. The airport is comfortable with this project.

Councilmember Rusing asked about the plan for runoff and if there would be a detention basin.

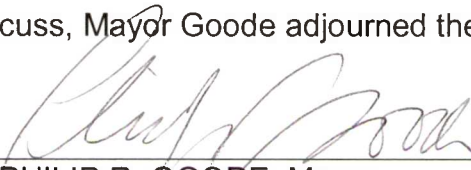
Mr. Worley responded that grading and drainage with an on-site detention basin will be taken care of. This has been thoroughly reviewed.

MOTION BY COUNCILMAN TENNEY TO APPROVE PLN23-001; SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)

12. ADJOURNMENT

Quote: "If it be asked, what is the most sacred duty and the greatest source of our security in a Republic, the answer would be: An inviolable respect for the Constitution and Laws — the first growing out of the last." - Alexander Hamilton

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:40 p.m.



PHILIP R. GOODE, Mayor

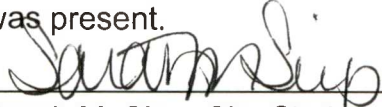
ATTEST:



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 September 12, 2023. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

