



City of Prescott

City Council - Voting Meeting

September 26, 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 recognized Former State Senator Steve Peirce and Board Member for Central Yavapai Hospital District Lauren Newington in the audience. He added that over 1000 citizens have completed the Hwy89 Widening project survey and it will be open through November 12. Additionally, he stated that he will be continuing his public outreach efforts and will be at Prescott College on October 3 from 3 pm - 5 pm and Yavapai College on October 17 from 3 pm - 5 pm, and will be at the Farmers Market on October 7 from 7:30 am - 12 pm with Councilman Elect Ted Gambogi who was also present in the audience.

3. INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist

4. PLEDGE OF ALLEGIANCE - Councilman Moore

5. ROLL CALL

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

6. PRESENTATIONS

- A. Presentation for Friends of Jersey Lilly Saloon for the Annual Courthouse Lighting Fundraiser

Josh Markaurer provided a presentation to Council regarding the annual fundraiser which raised \$64,000 last year for the courthouse lighting. Friends of the Jersey Lilly will once again do the fundraiser in three parts including sale of raffle tickets online, a silent auction beginning on October 30 and running for seven days and the live auction on November 2 at 4 pm with bidding starting at 6 pm at Jersey Lilly Saloon. He thanked Council and the community for their contributions, this event wouldn't be possible without these contributions.

7. PROCLAMATIONS

- A. Celebration of Lt. Alton Cheney's 103rd Birthday
Mayor Goode presented the Proclamation.
- B. Adult Education & Literacy Week - September 18-23
Councilman Tenney presented the Proclamation.

8. OPEN CALL TO THE PUBLIC

A. Deborah Thalasis addressed the Council regarding Prescott Frontier Days and a request for the Council to perform due diligence on their financials. She discussed their 2021 tax returns which shows two outstanding notes or mortgages totalling over \$600,000, she added that in 2021 the Buckle Club made a contribution before becoming a 501(c)(3). There are what she believes to be questionable items in their finances, is there a maintenance reserve which is required in their agreement with the city. This operation does not make money and it has been losing it which makes them need more events.

9. CONSENT AGENDA

MOTION BY COUNCILMAN TENNEY TO APPROVE CONSENT AGENDA ITEMS 9.A. THROUGH 9.I., EXCLUDING ITEM 9.E.; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

- A. Approval of Meeting Minutes from the September 12, 2023 Executive Session, the September 12, 2023 Study Session and the September 12, 2023 Voting Meeting.
- B. Approval of Acceptance of Three (3) Arizona Governor's Office of Highway Safety Grants for Federal Fiscal Year 2024 as Follows: 1) 2024-AI-017 in the Amount of \$60,471 for Accident Investigation Materials and Supplies; 2) 2024-405d-034 in the Amount of \$37,500 for DUI Enforcement Overtime, Materials, and Supplies; and 3) 2024-PTS-050 in the Amount of \$39,500 for Speed and Aggressive Driver Enforcement Overtime, Materials, and Supplies. All Grants are Fully Funded by the Arizona Governor's Office of Highway Safety.
- C. Approval of Acceptance of a Federal Emergency Management Agency (FEMA) Assistance to Firefighters Grant (AFG) Number EMW-2022-FG-03913 in an Amount not to Exceed \$25,485.00. (\$23,168.18 Federal Share, \$2,316.82 City Share) for the Purchase of One (1) Complete Lucas Chest Compression System. Funding is Available in the Fire Department Budget (Grant and General Fund).
- D. Adoption of Resolution No. 2023-1866, Approving City Contract No. 2024-071, an Intergovernmental Agreement Between the City of Prescott and the Town of Prescott Valley for Repair and Maintenance Services of Prescott Valley Police Motorcycles.
- E. Approval of City Contract No. 2024-081 to Welborn Investments, LLC dba Vicente Landscaping, for Landscaping Services for the Annual Estimated Amount of \$42,324.00. Funding is Budgeted and Available in the Facilities Budget.

This Item was pulled from the Consent Agenda by Councilman Moore for further discussion. He stated that he is concerned regarding the amount of herbicides and pesticides that are being used and feels that the city has a responsibility to set an example in minimizing the use of these chemicals. He would like to look at more environmentally friendly ways of treating weeds.

Deputy Recreation Services Director Tim Legler responded that staff does a good amount of mowing and weed eat. They always attempt to use minimal chemicals when possible.

**MOTION BY COUNCILMAN TENNEY TO APPROVE CONSENT AGENDA
ITEM 9.E.; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 1)
COUNCILMAN MOORE DISSENTING**

- F. Approval of City Contract 2024-082 with Empire Power Systems for the Purchase of a Backup Generator for City Hall (201 N. Montezuma) in the Amount of \$233,604.00. Funding is Budgeted and Available in the General Fund.
- G. Approval of City Contract 2024-089 for the Purchase of a Grounds Master 4500 Mower from Simpson Norton in the Amount of \$89,220.02 Using Mohave Contract No. 20E-SNC-0825. Funding is Budgeted and Available in the Recreation Services Fund.
- H. Approval of City Contract No. 2024-088 with Ferguson Waterworks for the Automated Meter Reading Infrastructure (AMI) and Meter Replacement Program in the Amount of \$1.5 Million This Fiscal Year for a Total of \$12.5 Million in Fiscal Years 24-29. Funding for This Project is Available Through Accepted WIFA Grant Funding in the Amount of \$3 Million with the Balance Budgeted and Available in the Water Fund.
- I. Approval of City Contract No. 2024-080 with Paradigm Software, L.L.C., to Provide Software and Support for a New Solid Waste Scale Management System for the Sundog Transfer Station, Utilizing City of Phoenix Contract No. 150634 in the Amount of \$67,920.45. Funding is Budgeted and Available in the Solid Waste Fund.

10. LIQUOR LICENSE

- A. Public Hearing and Consideration for a New Series 6 Bar Liquor License Application from Leonel Joseph Gallegos, Applicant, for The Senator. Location: 114 S. Montezuma Street Suite B.

Applicant Leonel Joseph Gallegos was present and addressed Council regarding their establishment, which is located in the basement of The Palace towards the rear of the building.

Councilmember Rusing asked how it would be accessed.

Mr. Gallegos said there is direct access from the alley in the rear.

**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 Jerry Craig Miller, Applicant, for The Dinner Bell & Casa Alvarez. Location: 321 W. 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.B.;
SECONDED BY COUNCILMAN SISCHKA: PASSED (7 - 0)**

11. REGULAR AGENDA

- A. Adoption of Ordinance No. 2023-1840 Amending Chapter 1-14 ("Code Enforcement") of the Prescott City Code.
City Attorney Joseph Young provided a presentation to the Council regarding the revisions to the code related to hearing officers.

Ordinance Review:

* City Code 7-5-20 was amended in 2022 to reinstituted use of a Hearing Officer for Civil Enforcement

* Code Chapter 1-14 updates are a clean up to provide consistency between code sections and provide for - code enforcement officer supervision within Community Development, and allows for code infractions to be processed through the Hearing Officer process prior to or in-lieu of city court option

Mayor Goode pointed out the importance of cleaning up these code issues.

Councilmember Rusing asked if the Code Enforcement Hearing Officer position will be under the Legal Department, and if there will be a notification process for the complaining neighbors.

Mr. Young said it is under the legal department and the Community Development Department. This change only addresses the enforcement. All hearing officer cases will eliminate the need for city court and make the process more efficient. He added that complainants would be witnesses and therefore a part of the process.

**MOTION BY COUNCILMAN MOORE TO ADOPT ORDINANCE NO. 2023-1840;
SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

- B. Approval of Multiple Contracts Related to the Installation of City Basketball Courts at Willow Creek Park as Follows: 1) City Contract No. 2024-084 with General Acrylics in the Amount of \$256,733.47 Using Mohave Contract No. 20N-GAI3-0202 For Construction; and 2) City Contract No. 2024-083 with Musco Sports Lighting LLC in the Amount of \$119,967.00 Using Sourcewell Purchase Contract No. 071619-MSL for Lighting. Funding is Available in the Recreation Services Capital Improvement Fund.

City Manager Katie Gregory introduced Deputy Recreation Services Director Tim Legler to discuss the project for lighted basketball courts at Willow Creek Park.

Mr. Legler stated that this has been a project Recreation Services has been working on for some time and has been part of their Master Plan for recreation enhancements in the community. There are currently no outdoor public courts and staff would like to do this right. A survey was done in the public for a full-sized court and that is what is proposed. This is over the budgeted amount, however, there are available funds for pavement preservation at parks which will cover the overage.

Councilmember Rusing stated that she has major concerns regarding this expenditure and thinks this is a want rather than a need. She asked why these extra available funds aren't going to pay for sidewalks.

Mr. Legler responded that those are two separate funds and that this is part of the Recreation Services Master Plan. He added that staff has heard from many citizens that would like to have that as an option in the community.

Ms. Gregory added that there is funding and projects in place for sidewalk improvements. This is a community amenity based on an approved Master Plan and a project that the Council was in favor of.

Councilman Moore stated he is totally in favor of this project. He commented that there are times when recreation facilities are shared in the community and the high school has outdoor basketball for years that aren't lighted and have recently been converted to pickleball courts and asked if that would be an opportunity for partnering.

Mr. Legler commented that there is a security concern with opening up the school to the public.

Councilman Tenney stated the school district would be open to that, but he would be concerned regarding the surrounding neighbors by the high school. He said that he also regularly hears from people who would like something like this and expressed the importance of having recreation amenities for people of all ages in the community.

Councilwoman Cantelme asked if the fence in the proposal will be locked and what the maintenance expectations would be.

Mr. Legler responded that the fence is to keep the ball in place and in the occurrence of inclement weather, to lock the courts. Maintenance is similar to the pickleball courts with resurfacing every five years.

Councilmember Rusing commented that a more centrally located option would be better.

Recreation Services Director Joe Baynes added that over a number of years they have looked at the best location for the park. This is the best option because it is

not surrounded by neighbors and becomes more centralized over time as North Prescott grows.

Mayor Goode stated that to justify a significant expenditure based on a Master Plan that is 16 years old is difficult for him. He does feel we need a few basketball courts, but likely not seven as was originally proposed in the Master Plan. He feels the Master Plan should be updated.

Ms. Gregory concurred that an update is necessary and would like to include that in the Council's mission and goals to better understand the needs and wants of the Council.

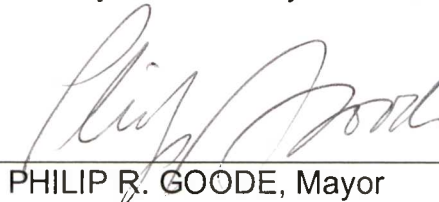
Councilman Tenney echoed comments regarding the age of the Master Plan but really need the two courts and is frankly surprised the discussion has gone on this long.

**MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2024-084; SECONDED BY COUNCILMAN SISCHKA: PASSED (5 - 2)
COUNCILWOMAN CANTELME AND COUNCILMEMBER RUSING
DISSENTING**
**MOTION BY COUNCILMAN TENNEY TO APPROVE CITY CONTRACT NO. 2024-083; SECONDED BY COUNCILMAN SISCHKA: PASSED (5 - 2)
COUNCILWOMAN CANTELME AND COUNCILMEMBER RUSING
DISSENTING**

12. ADJOURNMENT

Quote: "The god who gave us life gave us liberty. Can the liberties of a nation be secure when we have removed the conviction that these liberties are a gift of god." - Thomas Jefferson

There being no further business to discuss, Mayor Goode adjourned the meeting at 3:54 p.m.



PHILIP R. GOODE, Mayor

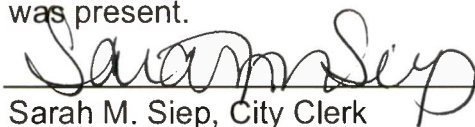
ATTEST:



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 26, 2023. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

