CITY OF PRESCOTT

City of Prescott

City Council - Voting Meeting

November 14, 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 pm.

2. **INTRODUCTIONS / ANNOUNCEMENTS**

   Mayor Pro Tem Montoya welcomed Councilwoman-Elect Lois Fruhwirth and Councilman-Elect Ted Gambogi who were present in the audience, as well as Planning & Zoning Commissioner Tom Reilly. He added that the city is conducting a community wide survey for public participation and this will continue through Nov. 21st and is available on the city website as well as was mailed out to randomly selected citizens. The Subcommittee on Appointments is seeking applications for vacancies on the Workforce Housing and Civic Enhancement Committee. Applications are due by Monday, November 20th.

   Finally, he reminded citizens that City Hall will be closed Thursday/Friday next week in observance of the Thanksgiving Holiday. No changes to the Monday/Tuesday or Friday trash pickup routes and the library closed Thursday/Friday.

3. **INVOCATION - Father Raj Britto with Sacred Heart**

4. **PLEDGE OF ALLEGIANCE - Councilman Tenney**

5. **ROLL CALL**

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

6. **PRESENTATIONS**

   A. Presentation to Citizens Academy Graduates

      Mayor Pro Tem Montoya and Citizens Academy Facilitator Amber Fraser recognized all the Citizens Academy graduates.

   B. Guns & Hoses Event Recap and Check Presentation

      Sherri Hanna provided a presentation to the Council recapping the eighth annual fundraising event. She provided funds raised in the amount of $3,200 each to

Police Chief Amy Bonney and Fire Chief Holger Durre for Shop with a Cop and Camp Courage Fundraisers.

7. PROCLAMATIONS

A. Frank Schiel Day - November 20, 2023
Councilman Tenney presented the Proclamation.

B. Milton Zaczeck 104th Birthday - November 9, 2023
Mayor Goode presented the Proclamation.

C. Small Business Saturday - November 25, 2023
Councilwoman Cantelme presented the Proclamation.

8. OPEN CALL TO THE PUBLIC

A. Raph Hess addressed the Council regarding public participation in City Council Meetings. He commended them for adding the call to the public to the agenda and discussed the importance of being able to address the Council regarding items that are not included on the posted agenda and asked them to reinstate hybrid meetings that took place during the pandemic, as well as placing comments made through the city website on the record of the meetings.

9. CONSENT AGENDA

MOTION BY COUNCILMAN TENNEY TO APPROVE CONSENT AGENDA ITEMS 9.C. THROUGH 9.I.; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (6 - 0)

A. Approval of Meeting Minutes from the October 24, 2023 Executive Session, the October 24, 2023 Study Session, the October 24, 2023 Voting Meeting, and the October 26, 2023 Special Meeting.
This item was pulled from the Consent Agenda by Mayor Goode for further discussion. He stated that he noticed a few errors in spelling and an error to a statement he made regarding "employment" versus "performance" and he felt that these accuracies are important for what is currently taking place and wanted to make sure they get updated.

City Clerk Sarah Siep revisions to minutes which include typographical or non-substantive issues can be addressed and changed directly with the clerk when noticed, and stated that Mayor Goode requested an update on page two of the Special Meeting Minutes related to the "employment" versus "performance" and she and the City Attorney felt that pulling them for approval by the whole of Council for the changes was appropriate.

Councilman Tenney asked where in the minutes "employment" was referenced where Mayor Goode wanted the change to "performance".

Ms. Siep directed Councilman Tenney to page 2 and the Mayor's introductory comments.

MOTION BY MAYOR GOODE TO APPROVE THE MINUTES WITH DISCUSSED REVISIONS; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (6 - 0)

B. Approval of Appointment of Members to the Planning & Zoning Commission and the Tourism Advisory Committee; and Approval of Appointment of Chair and Vice Chair for the General Plan Review Committee.

Councilmember Rusing pulled this item from the Consent Agenda for further discussion and stated that she wanted to recognize and thank the citizens who are stepping up to volunteer for the Committees.

MOTION BY COUNCILMAN SISCHKA TO APPROVE APPROVAL OF APPOINTMENTS; SECONDED BY COUNCILMEMBER RUSING: PASSED (6 - 0)

C. Approval to Reallocate Funding for the Completion of Upfitting of Two (2) "Type 6" Wildland Fire Apparatus Through SanTan Ford, Wildland Warehouse, and AZ Emergency Products. Funding is Budgeted & Available in the Fire Department General Fund Budget.

D. Approval of the Updated 2024 Arizona Mutual Aid Compact (AZMAC) Through the Department of Emergency Management and Military Affairs (DEMA).

E. Approval of Acceptance of Grant Funds from the US Department of Justice, Bureau of Justice Assistance Grant (JAG) in the Amount of $17,156 to be Used for the Purchase of Police Department Safety Equipment.

F. Approval of City Contract No. 2024-127, a Bailment Agreement Between the City of Prescott & the Granite Mountain Interagency Hotshot Learning and Tribute Center for the Storage and Display of Memorabilia and Artifacts for Educational and Preservation Purposes.

G. Adoption of Resolution No. 2023-1870 Authorizing the 2023 Intergovernmental Agreement (IGA) with the Arizona Department of Revenue Providing for Uniform Administration of the City's Transaction Privilege Tax.

H. Approval of City Contract No. 2024-119 with the Prescott Chamber of Commerce Foundation for Arizona's Christmas City Contributions. Funding is Budgeted and Available Through Transient Occupancy (Bed Tax) Funding.

I. Approval of City Contract No. 2024-122 for the Purchase of Two (2) 2025 Peterbilt Collection Vehicles from Rush Truck Center Using Sourcewell Contract No. 060920 Pricing in the Total Amount of $902,976.82. Funding is Budgeted and Available in the Solid Waste Fund.

10. REGULAR AGENDA

A. Adoption of Resolution No. 2023-1869 Authorizing City Staff to Enter Into an IGA with the Arizona Department of Transportation (ADOT) Accepting a Federal Highway Safety Improvement Program (HSIP) Grant in the Amount of $1,040,050 for the Construction of a New Traffic Signal at the Corner of Gail

Gardner Way and Fair Street.
City Manager Katie Gregory introduced the item and Transportation Manager Ian Mattingly to provide a presentation. She stated that this project began two and a half years ago following a study of projects that were reviewed for funding in the community. This will take approximately two years to complete the project, and there is no requirement for city matching funds.

Mr. Mattingly provided a presentation to Council regarding acceptance of the grant, he reiterated that this project is not tied in any way to the Rodeo Grounds improvements or Master Plan and was put forward to Council before that was proposed. The signal will replace an existing four-way stop control at the intersection, and the IGA sets forth requirements for all of the parties. This will accept the grant, enter into the contract and begin the project. All costs have been adjusted due to inflation, design in FY24, rights-of-way in FY25 and construction in FY26.

Councilmember Rusing asked about right-of-way in the area and the city acquiring it with the creek/flood zone/parking lot/dental office, etc. all in that area and how that would work. She added that no commercial growth is anticipated in that area, so why would the signal be placed if no additional traffic is anticipated?

Mr. Mattingly responded that the project does not anticipate any widening, just installation of the signal and when dealing with Federal Grants they are specific so if any land would be required it would cover that so the city will have it if it is needed. He added that traffic signals give enhanced safety for intersections, and they are not always put into areas that are developing or where traffic would increase. The warrant study was done based on the current needs and it meets that, there are peak hour times when the four-way stop does not work well.

Councilwoman Cantelme commented that she has received many emails and phone calls from concerned citizens in that area not wanting this, and shared a letter regarding not accepting the grant funds and maintaining the stop signs and doing pedestrian enhancements instead. She asked if it might be beneficial for the city to conduct a 60 to 90 day trial to test a light in the area and see how the light works because there is ample time before the funds have to be accepted. She would feel more comfortable if the neighborhood were satisfied and feels this would do that.

Mr. Mattingly stated that traditionally, when signals are installed, the decision is made for safety or operational improvements, and generally, signals are favorable for the community, so this is a new realm. Staff have identified a safety issue, found funding for it and a solution to a problem that warrants a traffic light. A signal will increase pedestrian safety and reduce the need for everyone to stop in the same manner that they are currently required to do, therefore improving conditions. The city does not own, nor has it ever operated a temporary signal.

Councilman Tenney echoed Cantelme's comments regarding feedback received from the community, but stated that while he is conflicted about this, he will rely on the opinion of experts and what the data shows is that a signal is warranted there already. He asked staff to discuss any downside to installation of this light outside of potential for people to go through at a higher speed.

Mr. Mattingly responded that there would be a future cost to operate which is relatively low. Moreover, the light from the luminaire could be viewed as a negative if you live in the area. If you were to drive that area in a non-peak hour a four-way it would have to be cycling. He added that the information regarding delays came from ADOT HSIP Manager so he isn't sure on how flexible they are on the timing and he still has concern. He feels the benefits of the installation of a signal in the area that meets warrants and improves the area outweigh the negatives.

Mayor Pro Tem Montoya stated that he shares Councilman Tenney's comments and has gone through that four-way many times throughout his life. He asked about peak times and congestion and if there is any specific information on added time. He added that he has talked to many people in this neighborhood and the Gail Gardener Neighborhood Area Plan could include some traffic-calming options.

Mr. Mattingly responded that synchro analysis could be done, but that has not been specifically done last this time. He added that he would've expected to hear from people that they would lose the stop/start traffic calming of the stop sign, but traffic signals should not be used as traffic calming options, which would be done through treatment in the entire area like speed humps etc.

Councilman Sischka asked if Gail Gardener is getting busier and asked about pedestrian issues.

Mr. Mattingly stated that traffic on all city streets is increasing approximately 1% annually and this is no exception. He added that a study was done in the area to address areas where there are pedestrian problems and this area was identified for needs/safety warrants. He felt that the concern has aligned with concerns regarding the Rodeo, but there was a multi-year review and process.

Councilwoman Cantelme asked if the lights are completely programmable. She would like to propose that this is tabled for 60 days and have a test done and then get feedback from the neighborhood.

Mr. Mattingly responded that they are and could be specialized based on events, time of day, etc.

Mayor Goode opened the floor to public comment.

Member of the public Roy Smith addressed the Council regarding a national deficit and the fact that there is no need to spend this money because it is a solution looking for a problem. He uses this road every day and enjoys the stop. This should be kept as it is.

Member of the public Anne-Marie Tayler addressed the Council regarding the speeding issue on Gail Gardener and has lived in the neighborhood for 20 years without seeing a police officer there issuing tickets, which is a problem. She believes traffic calming similar to what is on Rosser would be appropriate.

Member of the public Sarah-Michelle Tayler addressed the Council regarding the Neighborhood Plan for this area. The feel and neighborhood has declined because of the design of this road and broken promises of the city in addressing the plans for the area, though they are aware of the traffic and speed issues in the area. She believes if there is a light installed she will never be able to pull out of her driveway and there needs to be traffic calming and not a traffic light. Requested that this item be postponed.

Member of the public Sue Manuel addressed the Council as a resident on Gail Gardener for 66 years and stated that more information is needed. The residents are tired of being treated like second-class citizens compared to the Rodeo Grounds. She added that there has only been one pedestrian fatality and the driver was impaired. Feels that traffic calming like Mount Vernon would be much more appropriate for the area.

Member of the public Shannon Prehn addressed the Council addressed the Council urging them to not approve the light and to consider alternatives in order to reduce pedestrian fatalities in the area. She would like to see other options for pedestrian cross-walk safety, because there are other alternatives that may be better for the area.

Member of the public Tana Karen addressed the Council as a resident of the Gail Gardener neighborhood and the twelve accidents in a number of years does not meet the criteria for installation of a traffic signal. West-side residents do not experience traffic congestion at this four-way stop and traffic lights do not ease or calm these issues. Traffic calming and safety measures are needed, like crossing/yield signs in multiple areas of the neighborhood.

Member of the public David Klein addressed the Council regarding speeding and racing down Gail Gardener. He is against a streetlight in this area because it would increase speed.

Member of the public Gwen Parker addressed the Council as a resident of the area and said she has never had a problem going through the intersection unless there is something going on at the rodeo grounds. She reviewed an email that she received from Mr. Mattingly that included details about a traffic study.

Member of the public Lois Fruhwirth addressed the Council as a citizen who uses Gail Gardener regularly and is a fan of the stop sign because it makes it easier to get in and out of her neighborhood. She feels that timing of the lights would be required for it to work properly and so more time would be beneficial.

Member of the public Bonnie McMinn addressed the Council regarding data and the fact that there was none included in the packet and has not been provided to the public. This warrants further discussion and more information being provided to the public.

Member of the public Ralph Hess addressed the Council regarding alternatives being presented to solve the potential issues of this intersection which would be better than a light. He urged Council to conduct a study session regarding this matter before they vote on it. He feels it would be helpful for the public to know how many people submitted comments through the city website and if they were for or against this project.

Mayor Goode stated that the amount of opposition to this project has been dramatic. He added that residents in the Preserve and Enchanted Canyon are impacted by traffic in this area as well. The initial analysis for this was done before the Master Plan for the Rodeo was brought forward and that would potential have a significant impact on this project and its potential efficiency if a future traffic study is done. He doesn't see the true need for this at this time, and asked if this grant could be transferred to the Sundog/Prescott Lakes Parkway signal.

Mr. Mattingly responded that this item is for the approval of an IGA and installation at this intersection only. It cannot be applied to another area or variation of a project in this area. He added that additional meetings, or a trial of a signal in the area would require a lot of work and effort and would want to ensure that it is useful and would have value for the neighbors and the Council if they determine they want to do it.

Mayor Goode stated that a Study Session is something he would be in favor of.

Ms. Gregory responded that what Council is asking staff to do is significant in time and effort and rehashing information that has already been discussed and approved. Her recommendation would be to not move forward with the grant if the Council determines that a light is not appropriate for the intersection.

Councilwoman Cantelme stated that the Council has a long time to decide and she would like to discuss it and have more information.

Mr. Mattingly said that any additional effort would need to bring the Council and community closer to a yes if that is possible, but yes, there is six months from this point.

Mayor Pro Tem Montoya commented that he doesn't feel more data will change the facts and opinions on the ground and wouldn't be an effective use of taxpayer dollars. He isn't compelled that there is a desire to move forward with this at all.

Councilman Sischka stated that there has been a lot of work done on both sides and he appreciates the public that has come forward today. He would hate to see not moving forward with this project if there are in fact valid needs.

MOTION BY COUNCILMEMBER RUSING TO POSTPONE THIS ITEM FOR 90-DAYS AND BRING IT BACK TO COUNCIL AT A STUDY SESSION; SECONDED BY COUNCILWOMAN CANTELME: PASSED (4 - 2) MAYOR PRO TEM MONTOYA AND COUNCILMAN TENNEY DISSENTING

B. Adoption of Ordinance No. 2023-1849 Authorizing the Purchase of Real Property in and Around Glassford Hill.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE OF REAL PROPERTY IN AND AROUND GLASSFORD HILL, PURSUANT TO THE TERMS OF THAT INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PRESCOTT, THE TOWN OF PRESCOTT VALLEY AND YAVAPAI COUNTY (CITY CONTRACT NO. 2022-208) APPROVED BY THE PRESCOTT CITY COUNCIL ON OCTOBER 24, 2023; AND DECLARING AN EMERGENCY

City Manager Katie Gregory introduced the item and stated that per the City Charter land sales and purchases must be approved through an ordinance. This action will ratify the action that Council took on October 24. The emergency clause is to ensure the state land purchase can take place.

MOTION BY COUNCILMEMBER RUSING TO ADOPT ORDINANCE NO. 2023-1849; SECONDED BY COUNCILMAN TENNEY: PASSED (6 - 0)

C. Adoption of Ordinance No. 2023-1848 Approving Contract No. 2024-129 with Territory Holdings, LLC for the Sale and Redevelopment of Old City Hall (201 S. Cortez Street).

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE SALE OF REAL PROPERTY TO TERRITORY HOLDINGS LLC; AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID SALE

City Manager Katie Gregory introduced the item regarding sale for the redevelopment of the property located at 201 S. Cortez Street.

Deputy City Manager Tyler Goodman provided a presentation to Council regarding the property.

<u>Background:</u>
* Property appraised for $2,200,000 in January 2022
* Includes 1.3 acres of old city hall, legal and parking lots (excluding the police department parking)
* From RFP - "the City Council is seeking highly qualified applicants that specifically propose a purchase of the property and redevelopment to multi-story mixed-use (a combination of retail, dining, living, office or other uses). The city desires a project that builds upon the downtown redevelopment momentum, incorporates pedestrian-friendly features and enhances the city's economic base"
* Redevelopment needs to be completed within 36 months of closing

<u>Agreement Includes:</u>
* Sale of property for $2.2 million
* Mixed used project consisting of restaurant space, retail space, conference space and approximately 100 hotel rooms
* Allocation of 13 acre-feet of water based analysis of similar properties and uses

* Due diligence period of 18 months, but beholden to specific deposits - Deposit 1. $100,000 nonrefundable upon approval of height and design of the project and conditions met within 210 days; Deposit 2. $50,000 nonrefundable either 90 days after first deposit conditions are met or 300 days of the agreement (whichever is later); and Deposit 3. $50,000 nonrefundable either 180 days after first deposit conditions are met or 390 days of the agreement (whichever is later)
* Buyer will pay all closing costs
* Buyer will commence construction within 30 days of closing and must complete construction within 36 months
* Centennial Tree has been addressed as well
* City will reimburse the buyer for the cost of moving APS power lines in the alley east of the building in an amount not to exceed $250,000
* Agreement is not assignable to another entity without the city's approval
* Right-of-way usage for construction material staging

Territory Holdings, LLC Representative Shane Shumway addressed Council regarding the project. They are grateful to be considered for the redevelopment of this historic and important location. They understand the importance of maintaining the vitality of the area and will take feedback to be implemented into the project.

Councilman Sischka asked what kind of local participation they plan to use from a construction standpoint.

Mr. Shumway responded that they opened bidding to all local subcontractors, and that was the case on the Hilton Garden Inn project as well.

Councilwoman Cantelme asked how they would work through architecture with Prescott Preservation in mind.

Mr. Shumway responded that they plan to work closely with the Prescott Preservation Commission to ensure that all standards and requirements are met.

Mayor Goode stated that he is looking forward to seeing this project move forward. This is a significant project that will mean a lot to this community.

Councilmember Rusing asked Mr. Shumway to address working in similar historic districts.

Mr. Shumway stated that they did a similar project in downtown Flagstaff which required significant review by a Historic Preservation Committee.

Member of the public Ralph Rodarte addressed the Council regarding a vote over a year and a half ago for a local architect to do this project and stated that he doesn't appreciate it being awarded now to someone who is not local. He wants the Council to rethink what they are doing and he wants to see a rendering of the project.

Mr. Goodman responded that the Mayor and Council gave staff direction to begin negotiating with top ranked group (Doug Stroh Architecture) based on the recommendation of the Mayor's Commission on FOPU and discussions in Executive Session. Following that direction, staff engaged with Phoenix Rising who represented Doug Stroh Architecture and when those negotiations ceased, staff was further directed to begin negotiations with Territory Holdings as the second place choice of the Council, which is what they did.

Member of the public Doug Stroh addressed the Council regarding his previous bid on the project and the process when Stroh Architecture was previously selected. He stated that there were issues with the Phoenix Rising Organization that he was working with and other project partners, and they were not notified of where everything was at in the process. He added that they sent a request to the Council to redevelop the entire area and not just the subject property.

Member of the public Gillian Haley addressed the Council as a member of the original team that was awarded a contract for redevelopment of 201 S. Cortez for this project. She commented that statements that the top choice was "not able to perform" in the Daily Courier are not true and imply that local groups are not capable. Their due diligence period was unreasonable, and while there were issues with Phoenix Rising, the local team stayed in constant contact with city staff. She stated that City Council fired the developer through an email with no standard legal process involved and Stroh Architecture was never notified. She requested the contract not be approved.

Mayor Goode stated that his comments in the newspaper had nothing to do with their ability to perform their duties, it related to the developer's inability to meet the due diligence deadlines.

City Attorney Joseph Young stated that the city staff was told clearly that one person, Michael Hsiung with Phoenix Rising, had the authority to negotiate and communicate with them. Which is what staff did and it was a long time from when the city heard from him or his attorney, which prompted the city staff to approach the Council regarding negotiations and how they wanted to move forward.

Mr. Goodman stated that the Stroh group contacted him through emails and phone calls, and he spoke with them and the Council and relayed to them what was happening during the process.

Member of the public Christopher Blight, of Ponderosa Hotel Management addressed the Council regarding their submission for the project and his belief that the RFP should be reissued. He reviewed the city's RFP timeline and stated that the Council was not transparent and his group was not given a chance to revise their bid and the city changed their rankings for this project without any rhyme or reason.

Member of the public Bonnie McMinn addressed the Council stating that this is a highly visible and important project, we need to select the entity that follows the RFP and there needs to be a Study Session on this matter. This is the kind of vote that people will read about and would be greatly disturbed if there was a vote done in a closed session to negotiate with another party.

Member of the public Ralph Hess addressed the Council regarding the justification for using a two-year old appraisal for the sale price, and stated that he feels that five days to review an agenda denies the public the opportunity to provide meaningful comments on these matters. The council needs to have study sessions on these matters.

Mr. Shumway stated that they were one of the two finalists for the project and in terms of timing they have no desire to extend this needlessly. They have shown they are highly local even though they don't physically reside here and have invested in this community and will be doing so again. The RFP response included the police parking lot and six stories tall. They have since come to a determination regarding what is feasible for the site. There have been many study sessions and public input on this project.

Councilmember Rusing asked if Territory Holdings had the financing for this project.

Mr. Shumway responded that there will be debt and equity financing which they are already working on and is very common.

Mayor Pro Tem asked City Attorney to speak to whether or not he has any concerns regarding the way these negotiations took place.

Mr. Young responded that there are no concerns.

MOTION BY COUNCILMEMBER RUSING TO APPROVE ORDINANCE NO. 2023-1848; SECONDED BY COUNCILMAN TENNEY: PASSED (4 - 2) MAYOR PRO TEM MONTOYA AND COUNCILMAN SISCHKA DISSENTING

D. Adoption of Resolution No. 2023-1871 Declaring Intent to Be Reimbursed in Connection with Certain Capital Expenditures Related to Acquiring Land Near Prescott Regional Airport - Ernest A. Love Field.

City Manager Katie Gregory introduced the Item and stated that Council has discussed potential land acquisitions surrounding the airport and the need to have a financial tool in place for possible reimbursement related to any land purchases.

Finance Director Mark Woodfill stated that this is required by the IRS and the amount listed is approximately $23 million which is an estimate for purchases proposed in the area. Would issue up to what is needed for the city's share for any purchases.

Mayor Pro Tem Montoya asked what type of debt is contemplated.

Mr. Woodfill responded that it would be an excise tax which would be repaid through General Fund revenues and reducing other functions and the other option would be a General Obligation (GO) bond at a future election to be repaid by property tax revenue. This is approved by the voters and is assessed as part of residents' property taxes each year.

City Attorney Joseph Young stated that each purchase would have to be voted on individually, this just approves intent to seek future reimbursement.

MOTION BY COUNCILMEMBER RUSING TO APPROVE RESOLUTION NO. 2023-1871; SECONDED BY COUNCILMAN SISCHKA: PASSED (5 - 1) MAYOR PRO TEM MONTOYA DISSENTING

E. Adoption of Ordinance No. 2023-1847 Approving City Contract No. 2024-128 with Chino Valley Irrigation District for the Purchase of Real Property Near Prescott Regional Airport - Ernest A. Love Field.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, COUNTY OF YAVAPAI, STATE OF ARIZONA, APPROVING A PURCHASE AND SALE AGREEMENT (CITY CONTRACT NO. 2024-128) BETWEEN THE CITY OF PRESCOTT AND CHINO VALLEY IRRIGATION DISTRICT FOR APPROXIMATELY 61.43 ACRES OF REAL PROPERTY NEAR THE PRESCOTT REGIONAL AIRPORT- ERNEST A. LOVE FIELD

City Manager Katie Gregory introduced the Item for the purchase of property toward the north end of the airport which is owned by the Chino Valley Irrigation District (CVID) in order to support the long term plans for the runway and airport extension as well as providing further protection for the airport.

Real Estate Administrator Bryan Sparks addressed Council regarding the purchase and contract which was negotiated with CVID to hammer out the deal and will have full policy of title.

Ms. Gregory added that the price is $853,000.

Councilmember Rusing thanked CVID for allowing this deal to come to fruition and supporting our airport.

Mayor Goode asked if we didn't have this property for fill and had to go acquire it what would that cost?

Mr. Sparks responded it would be approximately $1 million and the other added benefit is that once this is leveled we will have 63 acres adjacent to the airport.

MOTION BY COUNCILMEMBER RUSING TO APPROVE ADOPTION OF ORDINANCE NO. 2023-1847 APPROVING CITY; SECONDED BY COUNCILMAN SISCHKA: PASSED (6 - 0)

F. Approval of PLN23-002 a Revised Preliminary Plat for South Ranch Unit 2. Location: APN 102-05-036G. Parcel Size: 18 Acres. Zoning: SPC. Owner: ASH-Dorn, LLC.

City Manager Katie Gregory introduced the Item and stated that this was approved with stipulations by the Planning & Zoning Commission.

Community Planner George Worley provided a presentation regarding the proposed changes to the overall subdivision which will allow them to build more affordable and smaller footprint homes in the area. They have also identified 12-14 additional parking spaces offsite as guest parking in the area. This is not impacted by one of the adverse Airport Impact Zones, but is within the 60 DNL. Residential uses are allowed and these revisions were unanimously approved by the Planning & Zoning Commission (P&Z), and Council can approve or approve with stipulations.

Councilmember Rusing commented that the developer wants even more people in the area and is not happy with what they got.

Mayor Goode asked how the narrowing of the lots would impact the ability of the residents to park their cars in their driveways or garages. He also asked about landscape features.

Mr. Worley responded that this width is not atypical and there are others with a similar width in the community. The general standards are for 20 feet and done as a consideration for additional guest parking in a home. There are no sidewalks proposed and the width of the roadways are standard city streets and street parking would be allowed. He stated that there will be landscape features at the entrances for the subdivision and the growth will not exceed the height of the structures.

Mayor Pro Tem Montoya asked if it would be beneficial to address the driveway length requirements, given that trucks are typically getting bigger and longer so that we don't create any future issues.

Councilwoman Cantelme commented that this is associated with a number of issues and conflicts with the CC&Rs. She asked how they would deal with that and asked about the stipulations that were discussed at P&Z and if those will be available on CentralSquare. She also asked about the five-day period to withdraw from the signing of the documents will work.

Mr. Worley stated that any document or recording related to a stipulation will be available in the system and is viewable to the public and all city staff.

City Attorney Joseph Young added that there is a five-day attorney review period after documents are signed by the homeowners and then countersigned by the builder to get out of the deal at no penalty.

Evermore (formerly Ash-Dorn) Representative Lindsey Shubbe addressed Council regarding sidewalks on one side and the fact that parking is allowed overnight. They have found that this product type is more prevalent because of affordability issues. They will follow the requirements of the driveway length and are going beyond requirements to add the additional parking. There are four mechanisms of disclosure and confirmed the five-day period for them to get out of the contract. The preliminary plat has been approved and these additional lots were a response to a need for alternative housing options which is needed all over the state.

Evermore Representative John Stone continued that they are trying to have the homes in the $300,000-325,000 range so young couples and families can afford them. It isn't just two feet of driveway as Council is discussing, there is a lot of value engineering that goes into smaller footprints.

Councilman Sischka commented that at some point the Council has to stop trying to make things perfect for everyone and they have to take personal responsibility for their home choice.

Councilwoman Cantelme stated that these things, like on-street parking, should be removed from the CC&Rs.

MOTION BY COUNCILMAN SISCHKA TO APPROVE PLN23-002; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (5 - 1) COUNCILMEMBER RUSING DISSENTING

11. ADJOURNMENT

Quote: "A leader once convinced that a course of action is the right one, must have the determination to stick with it and be undaunted when the going gets rough." - Ronald Reagan

There being no further business to discuss, Mayor Goode adjourned the meeting at 6:38 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 November 14, 2023. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Siep, City Clerk