



# City of Prescott

## City Council - Voting Meeting

December 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 3:02 p.m.

**2. INTRODUCTIONS / ANNOUNCEMENTS**

Mayor Pro Tem Cantelme reminded citizens of the new Transfer Station hours and stated that information is available at [prescottrecycles.com](http://prescottrecycles.com). She added that Christmas City events continue this weekend and there will be only one more Council meeting in 2023, next Tuesday, December 19.

**3. INVOCATION - Rabbi Elie Filler with Chabad of Prescott**

**4. PLEDGE OF ALLEGIANCE - Mayor Pro Tem Cantelme**

**5. ROLL CALL**

Phil Goode - Mayor  
Connie Cantelme - Mayor Pro Tem  
Lois Fruhwirth - Councilwoman  
Ted Gambogi - Councilman  
Brandon Montoya - Councilman  
Eric Moore - Councilman  
Cathey Rusing - Councilmember

**6. OPEN CALL TO THE PUBLIC**

None.

**7. CONSENT AGENDA**

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

- A. Approval of Meeting Minutes from the November 28, 2023 Executive Session, the November 28, 2023 Study Session, and the November 28, 2023 Voting Meeting.
- B. Approval of City Contract No. 2024-146 with the Yavapai-Prescott Indian Tribe for Distribution of Annual Gaming Funds to Local Non-Profits.
- C. Approval of Appointment of Tom Reilly, to Replace Member Deb Thalasis, to the General Plan Review Committee.

This item was pulled by Councilmember Rusing for further discussion. She commented that this will give the Committee three members that are also on the Planning & Zoning Commission and she feels this is highly unusual and a new member should be selected.

City Clerk Sarah Siep addressed the Council regarding the appointment process. She stated that the Resolution calls for the makeup of the General Plan Committee to consist of two (2) members from the Planning & Zoning Commission, one (1) member from the Prescott Preservation Commission, one (1) member from the Board of Adjustment and seven (7) citizen members selected by each member of the Council. There is nothing in the Resolution that would preclude someone who also serves on any of the city's Boards and Commissions, including Planning & Zoning Commission, from also being selected by a Council member as their citizen appointee. There was no interview process, and ultimately the citizen appointees are up to the members of Council.

City Attorney Joseph Young confirmed and added that should this appointment not be approved by the Council it would not go back to Subcommittee on Appointments for determination it would go back to Councilman Montoya and be returned to Council based on what his recommendation is to staff.

Councilman Gambogi stated that he has worked with Mr. Reilly for a number of years and that has caused him to address things in a more thoughtful manner. At this point in the General Plan process it is important to have a veteran and not a rookie to fill this position so he supports the appointment of Mr. Reilly to the General Plan Committee.

Councilman Montoya addressed his process for selecting a replacement member. He stated that after he was notified of the resignation of his selected member for the General Plan Committee and being told that he would need to select a replacement, he had four members of the public reach out to him regarding that process. Deciding between these individuals was difficult, but in his opinion, Mr. Reilly was superior given his previous service to this Council, County and community. He added that he often does not agree with Mr. Reilly's perspective on things, but he always asks questions that make people think which is important in this process. The General Plan is already in process, and we need a steady hand to be involved in the remainder of the process.

Councilman Moore expressed his support for Mr. Reilly in this appointment, and reiterated that the City Clerk and City Attorney have clarified that this is not an issue. It is his duty to respect and uphold the selection of another Council Member.

Member of the public Bonnie McMinn addressed the Council regarding the composition of the General Plan Committee. She feels there should be diverse compositions to the city boards and commissions. Three members from the Planning & Zoning Commission "stacks the deck" and reduces citizen input. There are three new members of the City Council and there is nothing in the Resolution that states that Councilman Montoya gets a do-over if his member resigns, there needs to be a process for that.

Member of the public Tana Karen stated that Councilman Montoya already had his vote, there are new Council members and agreed with Ms. McMinn that this is stacking the deck. This minimizes citizen input and need more input in these areas.

Councilman Moore thanked citizens for their thoughts. He doesn't believe the Council is in violation of the Resolution as each Council member may pick someone which is what we are doing. Can't pigeonhole people into classifications like just being a Planning & Zoning Commissioner or just a citizen.

Councilwoman Fruhwirth asked about the process going forward regarding appointment of a Council member who no longer sits on Council.

Ms. Siep responded that she concurs this is a process that is not addressed in the current Resolution but should be. She will work with Mr. Young to add that information and bring back a revised Resolution at a future meeting.

Mayor Pro Tem Cantelme commented that when she tried to get involved in local government it felt very much like a closed club, and she feels appointing Mr. Reilly is a missed opportunity to invite someone else to the table. For that reason she will vote no on this appointment.

Councilman Gambogi stated that if there is a Resolution, the Council should live by that. He added that having been the Chair of General Plan and the Vice Chair of the Planning & Zoning Commission, he does not feel that a newcomer would be able to get caught up properly on all the information that has been received to this point and integrating that with the knowledge of an existing Commissioner would be beneficial.

**MOTION BY COUNCILMAN MOORE TO APPROVE APPOINTMENT OF TOM REILLY TO GENERAL PLAN COMMITTEE; SECONDED BY MAYOR PRO TEM MONTOYA: PASSED (5 - 2) MAYOR PRO TEM CANTELME AND COUNCILMEMBER RUSING DISSENTING**

- D. Approval of City Contract No. 2024-130 with WaterWorks Engineers for the Lead Service Line Inventory as Mandated by ADEQ in the Amount of \$376,255.00. Funding is Budgeted and Available in the Water Fund.
- E. Approval of FNP23-003 a Final Plat for South Ranch Unit 2A. Location: APN 102-05-036G. Parcel Size: 18 Acres. Zoning: SPC. Owner: ASH-Dorn, LLC.

**8. REGULAR AGENDA**

- A. Adoption of Resolution No. 2023-1873 Condemning Hamas and Declaring Support for the Jewish State of Israel.  
Mayor Goode stated that Attorney Rodney Glassman will provide a brief presentation to the Council.

Mr. Glassman addressed the Council and stated that he had provided a

presentation to Republican Women of Prescott (RWOP) today regarding the history of Hanukkah and the Jewish National Fund. He has served as a former town manager, and commented that a Resolution of this nature is appropriate for what this Council is charged with doing.

Mayor Goode commented that he has received comments from the public that this is beyond the Council's scope, but not only does Prescott have a vibrant Jewish community, the State Treasury also has investments that are adopted in support of Israel so there is a local and state commitment to supporting them. He then read the Resolution.

Member of the public Steve Caros addressed the Council regarding antisemitic actions happening in the US and all over the world.

Member of the public Sharon Fried addressed the Council as a Jewish-American and Israeli. She has been to many funerals but October 7 broke her heart in a new way. She urged the Council to adopt the Resolution.

Member of the public Steven A. Marcus addressed Council as an American-Israeli. He stated that he has traveled to Israel and served in the Israeli Army. He urged the Council to vote yes on this Resolution.

**MOTION BY MAYOR GOODE TO ADOPT RESOLUTION NO. 2023-1873;  
SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

- B. Approval of City Contract No. 2005-294A2, an Extension of Water Service Agreement with TC Development, Inc for Phase 2 of the Sterling Ridge Subdivision.

City Manager Katie Gregory introduced the Item and the extension of a contract for Phase II of the Sterling Ridge Development. She stated the contract was amended in 2019 to reduce water usage and the developer would like a three-year extension with an adjustment to the water again.

Mayor Goode commented that the project has been proceeding but at a rather slow pace and in order to complete the project they need the extension.

Councilmember Rusing stated that this is an infill project, and the new homes will all be under the new allocation of 0.17 AF.

Water Resource & Environmental Services Manager Brian Ruiz confirmed, and stated that there are fifteen homes proposed in Phase II.

Developer Mike Crimmins with T.C. Development addressed the Council regarding the original plat for thirty-two lots. This was modified to twenty-nine lots with two phases when water was amended but not extended. Phase I has been completed and there are fourteen lots proposed in Phase II.

**MOTION BY COUNCILMEMBER RUSING TO APPROVE CITY CONTRACT  
NO. 2005-294A2; SECONDED BY COUNCILWOMAN CANTELME: PASSED (7  
- 0)**

- C. Approval of Notice of Intent to Increase Water & Wastewater Rates and Set

Public Hearing Regarding the Same.

City Manager Katie Gregory introduced the Item and stated that the water and wastewater rate study will take place to adjust rates and this is the first step in that process. The earliest any action will be taken is during the public hearing in March 2024. She introduced Deputy Finance Director Lars Johnson to discuss further.

Mayor Goode reiterated that this is just the notice of intent.

Mr. Johnson confirmed.

Councilmember Rusing said that city water is a great bargain even with a rate increase.

**MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE NOTICE OF INTENT & SET THE PUBLIC HEARING; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

**9. LIQUOR LICENSE**

- A. Public Hearing and Consideration for an Owner Transfer Series 6 Bar Liquor License Application from Ronald Cecil Owsley, Applicant, for Prescott Frontier Days Rodeo. Location: 840 Rodeo Drive.

Mayor Goode invited the applicant to address the Council.

Mr. Owsley stated that the Rodeo has operated with a beer and wine license for many years, but have to pay another entity a fee during their Special Events and this will clean that process up by establishing a bar liquor license.

**MOTION BY MAYOR PRO TEM CANTELME TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

**MOTION BY MAYOR PRO TEM CANTELME TO APPROVE ITEM 9.A.; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

- B. Public Hearing and Consideration for Two (2) Liquor License Applications for The Cortez as Follows: 1) An Owner Transfer Series 6 Bar Liquor License Application from Jeffrey Craig Miller, Applicant, for The Cortez. Location: 123 N. Cortez Street; and 2) A New Series 6 Bar Liquor License Application from Jeffrey Craig Miller, Applicant, for The Cortez. Location: 123 N. Cortez Street.

**MOTION BY COUNCILMAN GAMBOGI TO CLOSE THE PUBLIC HEARING FOR THE OWNER TRANSFER; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)**

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE AN OWNER TRANSFER FOR A SERIES 6 LIQUOR LICENSE FOR THE CORTEZ; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)**

**MOTION BY COUNCILWOMAN FRUHWIRTH TO CLOSE THE PUBLIC HEARING FOR THE NEW APPLICATION; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

**MOTION BY COUNCILMEMBER RUSING TO APPROVE THE NEW SERIES 6 LIQUOR LICENSE FOR THE CORTEZ; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)**

**10. ADJOURNMENT**

Mayor Goode wished everyone a Happy Hanukkah, and stated that he feels that when situations like this occur it is important to step up and do the right thing.

There being no further business, Mayor Goode adjourned the meeting at 4:18 p.m.

  
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PHILIP R. GOODE, Mayor

ATTEST:

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

  
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Sarah M. Siep, City Clerk

