



City of Prescott

City Council - Voting Meeting

May 14, 2024 | 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 3:08 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Cantelme stated that May 27- June 2024 Prescott Public Library parking lot will be closed for construction to correct ADA deficiencies and during this time external book drop offs will be available in the alley to the South of the lot and at the Goodwin Street library entrance. A map with additional information and alternative parking locations is available on the library website. Also, the City of Prescott has implemented time of day watering restrictions through November 1, outdoor watering should be done between the hours of 8 pm and 8 am to conserve water during the summer heat. Finally, she congratulated Councilman Moore on the birth of his grandson Kimball, his ninth grandchild.

3. INVOCATION – Councilman Moore

4. PLEDGE OF ALLEGIANCE - Councilwoman Fruhwirth

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. PRESENTATIONS

- A. Recognition of Public Works Week 2024 (May 20-24) and Presentation of a Proclamation.

Public Works Director Gwen Rowitsch provided a presentation and reviewed a video about all of Public Works Services.

Mayor Goode presented the Proclamation.

- B. Presentation Regarding Regional Cooperation During Recent Fire Events.

Fire Chief Holger Durre and CAFMA Fire Chief Scott Freitag highlighted recent

regional collaboration during the April 1st Legado Fire event. They thanked all surrounding jurisdictions for their assistance in getting this fire under control as quickly as possible. It truly was a collaborative effort between Fire, Police, Public Works, Fleet, and more. Additional units came the Verde Valley, Flagstaff and even other statewide agencies as well. These relationships are vitally important to our communities.

7. PROCLAMATIONS

A. Falun Dafa Day - May 13

Councilmember Rusing requested to speak, Mayor Goode stated she was out of order.

Councilman Gambogi presented the Proclamation.

8. OPEN CALL TO THE PUBLIC

None.

9. CONSENT AGENDA

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

- A. Approval of Meeting Minutes from the April 23, 2024 Executive Session, the April 23, 2024 Study Session, the April 23, 2024 Voting Meeting, and the April 30, 2024 Special Study Session.
- B. Approval of Application for Various Fiscal Year 2025 Grant Funding Opportunities for the Prescott Fire Department.
- C. Approval of City Contract No. 2024-212 with NAZCARE, Inc. to Expend Community Development Block Grant Funding in the Amount of \$90,855.00 for the Rehabilitation of Their New Hope Wellness Center. Funding is Available Through CDBG Funds.
- D. Approval of City Contract No. 2024-215 a Memorandum of Understanding Between the Prescott Police Department and the Arizona Rangers Granite Mountain Company to Provide the Prescott Police Department with Auxiliary Volunteer Law Enforcement Services from the Arizona Rangers.
- E. Approval of Night Work on Willow Creek Road North of Pioneer Parkway & South of James Lane.
- F. Approval of City Contract No. 2024-219, an Art Donation for a Bust Sculpture Honoring "Wish Man" Frank Shankwitz.

Councilwoman Fruhwirth pulled this Item from the Consent Agenda for further discussion.

Team Wishman Representative Joe Bagley addressed the Council regarding Mr. Shankwitz life and impacts not just on Prescott but throughout the country and world.

Mayor Goode thanked Mr. Bagley and the group for their efforts on this project and stated that he is looking forward to having the statue downtown and recognize what Mr. Shankwitz did.

MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CITY CONTRACT NO. 2024-219; SECONDED BY MAYOR GOODE: PASSED (7 - 0)

- G. Approval of City Contract 2024-205 with Prescott Frontier Days for the World's Oldest Rodeo Annual Marketing Contribution in the Amount of \$40,000. Funding is Budgeted & Available Through Transient Occupancy (Bed) Tax Funds.

10. CONSENT ORDINANCE

Discussion was taken regarding Item 10.A. before Council voted on the Consent Ordinance Agenda.

MOTION BY MAYOR PRO TEM CANTELME TO ADOPT CONSENT ORDINANCE ITEMS 10.A. THROUGH 10.C. WITH THE ADDITION OF THE WORDS "IMPROVING" TO ORDINANCE NO. 2024-1858 AS DISCUSSED; SECONDED BY COUNCILMAN GAMBOGI: PASSED (7 - 0)

- A. Adoption of Ordinance No. 2024-1858 Placing the Question of Adopting a Dedicated Transaction Privilege Tax on the November 5, 2024 Election Ballot. Councilman Moore asked about the financial impacts regarding the County fees for the election and he also asked if any of the funding will be impacted by impact fees that were discussed during the Study Session earlier today.

City Clerk Sarah Siep addressed the fees paid to the County and the conducting of an election in an off-year for the city, this will be an additional cost that the city would not normally pay.

Finance Director Mark Woodfill stated that impact fees are included in the projections, but those are just projections, however, it won't affect the amount collected.

Mayor Pro Tem Cantelme stated that this is something that is needed for the city going forward.

Councilwoman Fruhwirth echoed Mayor Pro Tem Cantelme's comments, she added that in the ballot language she would like to add the word "improvements".

Mayor Goode commented that the bulk of this tax is for ongoing personnel salaries so "improvements" would only be applicable to the portion that will be sunset, and putting that word in the full ballot language would be deceptive.

City Attorney Joseph Young stated that the word "improvements" is not

appropriate as it relates to construction, would be acceptable to have "improving public safety..."

Councilwoman Fruhwirth stated that she was comfortable with that.

Councilmember Rusing stated that she wanted staff to address why the funding is going into the general fund and not a separate account.

Mr. Woodfill responded that this will not fund the total cost of public safety and trying to put it into a dedicated fund would not be possible. It is dedicated to public safety and only to be used for that.

Councilman Montoya asked about timing of putting this on the November ballot versus waiting until next year when it is a regular city election cycle. He stated that his concern is that there is still a lot of confirming to do with education, raising money for a PAC to support this and a sea of other election items he isn't as comfortable putting this on the ballot.

Fire Chief Holger Durre stated that as soon as a tax passes the city can issue debt to that tax, planning wise the department projection would be late into 2025 that they would be actually putting shovels in the ground. So from a capital side the trajectory isn't changed.

Ms. Siep stated that the proposition would need to be placed on a ballot in the next election cycle (2026) and the ballot language would need to be different if the proposition did not pass this year.

Chief Durre also addressed capital not being as impacted by when the tax were to pass, but hiring and other components would be impacted.

Councilman Montoya stated that he is in support of this but he did want to entertain the idea of developing a better strategy around the Proposition.

Member of the public Sherrie Hanna addressed the Council with Linda Nichols regarding forming the PAC and wording of the ballot language. She stated that solely dedicated should be included in the ballot language. Additionally, they wanted information regarding the budget remaining as established for public safety and would like assurance that this tax would not impact the budget. Finally, she mentioned an agreement with the James Family regarding a property to be dedicated in North Prescott for a fire station. Have formed a PAC and are ready to hit the ground running tomorrow to educate the public.

Ms. Siep clarified the Ordinance title is not the ballot language, and directed Ms. Hanna to the full ballot language within the Ordinance whole "sole purpose" is included.

Mr. Young addressed the language in the enacting Ordinance that covers the budget inquiries.

Councilwoman Fruhwirth stated that she understood that the minute the voters

approve debt can be issued, and asked if that is correct.

Mr. Woodfill confirmed that once there is voter approval debt can be issued. Whether it is approved or not would not stop the city from moving forward for the design or stations because that is all already budgeted. This is a long term solution to public safety financing, if there is concern regarding passing in November that is something to consider.

Councilman Gambogi complimented Ms. Hanna and Ms. Nichols for their hard work already.

Councilmember Rusing reiterated that over the next 10 years these funds will put additional uniform police on the streets and add 30 Firefighters/EMS, it is something the city desperately needs.

- B. Adoption of Ordinance No. 2024-1857 Authorizing Amendment No. 3 to Lease Agreement Between the City of Prescott and Zion's Bank Corporation, DBA National Bank of Arizona.
- C. Adoption of Ordinance No. 2024-1856 Amending Title I, Chapter 1-14 Code Enforcement, Section 1-14-8, by Revising Subsection 1-14-8(D) and Adding a New Subsection 1-14-8(E), and Adding a Severance Provision.

11. LIQUOR LICENSE

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Lorie Ann Kapaun, Applicant, for Willow Tree Tapas and Wine LLC. Location: 2889 Willow Creek Road.

**MOTION BY COUNCILMAN GAMBOGI TO CLOSE THE PUBLIC HEARING;
SECONDED BY COUNCILMAN MONTOYA: PASSED (7 - 0)**

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE ITEM 11.A.;
SECONDED BY COUNCILMAN MONTOYA: PASSED (7 - 0)**

12. REGULAR AGENDA

- A. Approval of City Contract No. 2024-217 with Civic Solutions for the Economic Development Strategic Plan for the City of Prescott in the Amount of \$70,000 Plus Expenses in the Amount of Approximately \$6,000. Funding is Budgeted & Available in the General Fund.

Economic Development Director John Heiney provided a presentation to Council regarding a comprehensive economic strategic plan for the City of Prescott. The group recently completed a regional strategic plan with the Chamber Foundation and is familiar with the area. Their goal is to foster local economic growth through business expansion, and development. Their timeline is very good, and the city will have a plan back by the 4th quarter of this year, Prescott relies on engagement and this plan will help to enhance that.

Councilmember Rusing commented that she has concerns regarding the fact that

the contract was not included in the packet, and asked about the regional plan. Additionally, she stated that she is astounded that we don't have a dedicated Economic Development Director.

Mr. Heiney responded that the boilerplate contracts aren't included in the packets. He added that the regional plan has not been sent, however, he can share it once it has been shared. Finally, stakeholder engagement is critical and this is a key component to allow the Council to communicate how they want to implement a strategic plan for these purposes particularly if they want a dedicated department.

Councilwoman Fruhwirth echoed that she would like to review the full strategic plan. She added that the RSOQ that was shared prior to the meeting was helpful, but she expressed concerns regarding not receiving this plan until after the budget is adopted.

Mayor Goode stated that he is disappointed that the contract and references to the regional plan were not included in the packet. Feels the Council is premature in approving this. All necessary information should be posted with the agendas.

City Clerk Sarah Siep addressed Council statements regarding the contract not being included in the agenda materials. She reiterated that unless contracts, IGAs, MOUs or other agreements come from an outside agency they are created from a standard template from the purchasing department once Council approves and have historically not been included in the packets. However, if Council consensus is to include them with the understanding that the packets will be significantly larger staff can do that.

MOTION BY MAYOR GOODE TO POSTPONE APPROVAL OF CITY CONTRACT NO. 2024-217 TO MAY 28, 2024; SECONDED BY COUNCILMEMBER RUSING: PASSED (4 - 3) COUNCILMAN GAMBOGI, COUNCILMAN MONTOYA AND COUNCILMAN MOORE DISSENTING

- B. Approval of City Contract No. 2023-209A2, an Amendment to City Contract No. 2023-209 with Combs Construction Company Inc. for the Prescott Public Library Parking Lot Improvements in an Amount not to Exceed \$421,424.89, Utilizing the City's Job Order Contract. Funding is Budgeted & Available in the Facilities Fund.

Capital Program Manager Tim Sherwood addressed the Council regarding the project which will include the addition of a third parking space to address ADA issues in the parking lot at the Prescott Public Library.

Councilmember Rusing commented that she had been in the back parking lot and there were several marked spots in that area. She asked if this would impact any of the work that was recently done and if the book drop would be moved.

Mr. Sherwood responded that it will not impact the recent work completed, and stated that the book drop will be moved during the construction only.

Councilman Gambogi stated that he was confused by this because he thought the library was ADA compliant.

Mr. Sherwood responded that the slope of the spots going toward Marina Street are out of compliance and this is to address that.

City Attorney Joseph Young added that a complaint was made to the ADA about a year ago and this is part of the city's efforts to remedy that.

Councilman Montoya asked if the contract for this item is in the packet.

City Clerk Sarah Siep responded that it is not.

Councilmember Rusing asked how stormwater drainage will be addressed.

Mr. Sherwood responded that it will still have runoff.

Councilwoman Fruhwirth stated that there was a detailed proposal included, she also commented that in the proposal she saw details regarding a concrete driveway and asked about that.

Mr. Sherwood responded that it will be a standard grade increase to help address the slope of the parking lot.

Councilmember Rusing stated that this is a \$400,000 solution to a problem that wasn't a problem but the Council has to do it.

Mayor Goode stated that he has a problem with this item as well because the contract wasn't included in the packet, and if he doesn't have it he is violating his own principals by not reviewing the documents before he approves it.

MOTION BY MAYOR GOODE TO POSTPONE APPROVAL OF CITY CONTRACT NO. 2023-209A2 TO MAY 28, 2024; SECONDED BY COUNCILMEMBER RUSING: FAILED (3 - 4) COUNCILWOMAN FRUHWIRTH, COUNCILMAN GAMBOGI, COUNCILMAN MONTOYA AND COUNCILMAN MOORE DISSENTING

MOTION BY COUNCILMAN MONTOYA TO APPROVE CITY CONTRACT NO. 2023-209A2; SECONDED BY COUNCILMAN MOORE: PASSED (4 - 3) MAYOR GOODE, MAYOR PRO TEM CANTELME AND COUNCILMEMBER RUSING DISSENTING

13. COUNCIL LIAISON BCC UPDATES

Mayor Pro Tem Cantelme provided updates on the following BCCs:

1. Prescott Preservation Commission recently reviewed the proposed hotel, mixed-use project to be located at the former city hall site. The developer was present to address questions and concerns from the public at the meeting and a recent open house as well. She added that the group also reviewed the proposal for signage at the new National Bank location, but rejected it so the applicant will return with revisions at the next meeting.
2. Workforce Housing Committee recently took a "field trip" to a workforce housing project in Prescott Valley and she encouraged everyone to go take a look. Also a

stakeholder open house will take place on June 26 to help gauge the buy-in of our community for Workforce Housing efforts in Prescott.

Councilman Montoya provided updates on the following BCC:

1. CDBG Citizens Advisory Committee have gone through the process of approving projects for their next plan year. He also shared an email from staff liaison Michael McInnes announcing that the HUD funding for plan year 2025 will be the largest disbursement the community has received.

Councilwoman Fruhwirth provided updates on the following BCC:

1. Tourism Advisory Committee recently reviewed and ranked their annual grant applications and recommendations will be coming to Council soon.

City Clerk Sarah Siep provided an updated on all upcoming BCC meetings through June 11.

14. ADJOURNMENT

Quote: "A positive attitude may not solve all your problems, but it will annoy enough people to make it worth the effort" - Herb Albright

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:56 p.m.



PHILIP R. GOODE, Mayor

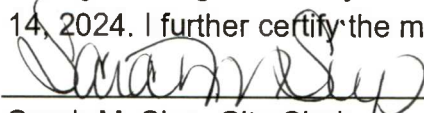
ATTEST:



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 May 14, 2024. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

