

City of Prescott

City Council - Voting Meeting



May 28, 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 3:11 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Cantelme welcomed and introduced new City Manager Dallin Kimble and Airport Director Rick Crider.

She also announced that the city's Recreation Services Department will be hosting a grand opening of the new basketball court located at 3181 Willow Creek Road, next to the dog park, will take place on Saturday June 1st at 11 am with an exhibition basketball game between the Prescott Police and Fire Departments. Additionally, she reminded the public that the Prescott Library's Marina Street parking lot is closed during the month of June for a project addressing ADA deficiencies. Book drops are available in the alley and at the Goodwin Street entrance, but bulk donations will not be accepted during the lot closure.

3. INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist

4. PLEDGE OF ALLEGIANCE - Councilman Gambogi

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. APS - Annual Fire Mitigation & Summer Readiness Presentation

APS Northern Division Director Frank Sanderson provided the annual presentation to Council regarding wildfire safety and fire mitigation in the area.

7. PROCLAMATIONS

- A. Prescott's 160th Anniversary - May 30th

Mayor Goode presented the Proclamation.

8. OPEN CALL TO THE PUBLIC

None.

9. CONSENT AGENDA

MOTION BY MAYOR PRO TEM CANTELME TO APPROVE CONSENT AGENDA ITEMS 9.A. THROUGH 9.I., EXCLUDING ITEMS 9.C. AND 9.H.; SECONDED BY COUNCILMAN MONTOYA: PASSED (7 - 0)

- A. Approval of Meeting Minutes from the May 7, 2024 Special Study Session, the May 9, 2024 Budget Workshop, the May 14, 2024 Executive Session, the May 14, 2024, 2024 Study Session, the May 14, 2024 Voting Meeting, and the May 16, 2024 Budget Workshop.
- B. Approval of Renewal for Off-Track Pari-Mutuel Wagering Permit at Matt's Saloon. Location: 112 South Montezuma Street.
- C. 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.

Councilwoman Fruhwirth pulled this Item for further discussion.

Community Outreach Director John Heiney provided a presentation to the Council regarding the proposed contract. He addressed inquiries from Councilwoman Fruhwirth regarding industry clusters and the lack of an aviation cluster in the area. With a strategic plan in place, these are things we can work toward. Will also be looking at peer cities for future opportunities. He added that this group has already had boots on the ground in Prescott in working on a regional plan which will provide synergy for our community and the entire region. This process will be staff driven with Council engagement and a steering committee with Council appointees.

Mayor Goode commented that there are references to a regional strategy and action plan, and asked how that will contrast with what is going to be done in this plan.

Mr. Heiney responded that there was municipal involvement, but it was the entire region. This will be specific to the city of Prescott and our assets and economic drivers with some regional inclusion and interactions.

**MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CITY
CONTRACT NO. 2024-217; SECONDED BY COUNCILMAN MONTTOYA:
PASSED (7 - 0)**

- D. Approval of City Contract No. 2024-214 with Asphalt Paving & Supply, Inc. for the Strategic Academic Flight Education (SAFE) Complex Off-Site Drainage Improvements in the Amount of \$398,661.00. Funding is Available Through an ADOT Grant with a 10% Match.
- E. Approval of City Contract No. 2024-223 a Cooperative Agreement with the Arizona Department of Forestry and Fire Management for Resource Sharing & Reimbursement for Wildfire Response.
- F. Approval of Multiple On-call Contracts for Quality Assurance (QA) & Testing Services Each Not Exceeding \$75,000.00 Annually as Follows: 1) City Contract No. 2025-001 with Western Technologies, 2) City Contract No. 2025-002 with Engineering & Testing Consultants, Inc.; 3) City Contract No. 2025-003 with Speedie & Associates, LLC; 4) City Contract No. 2025-004 with Material Testing & Inspections, LLC; 5) City Contract No. 2025-005 with Ninyo & Moore Geotechnical & Environmental Sciences Consultants; and 6) City Contract No. 2025-006 with Quality Testing, LLC. Funding is Budgeted & Available in the Water, Wastewater & Streets Funds.
- G. Adoption of Resolution No. 2024-1877 Approving & Authorizing City Contract No. 2019-229A1, an Amendment to City Contract No. 2019-229 an Intergovernmental Agreement (IGA) Between the City of Prescott and Yavapai County for Consolidated Court Operations Extending Consolidated Court Services for One Year.
- H. Approval for the Community Development Department to Accept Additional Certified Local Government (CLG) Pass Through Grant for State Preservation Conference Funding in FY2024.

Mayor Pro Tem Cantelme pulled this Item for further discussion and stated that one of her favorite things about Prescott is the history here. She added that the 2024 Preserve Arizona Conference will be held in Prescott June 25-28.

Historic Preservation Specialist Kaylee Nunez said that the State Preservation Office approached her regarding having the conference here with less than a year to plan, but there will be 300 participants from various historic preservation fields in the community, and it is an exciting opportunity for the community.

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

- I. Approval of Request to Apply for the United States Bureau of Reclamation, Lower Colorado Basin Region, Water Conservation Field Services Program Grant.

10. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2024-1859 Amending City Code Title IX, Chapter 9-1, Section 7, Subsection (A), Methods of Parking.

Member of the public Jeffrey Herbert addressed the Council as a local business owner and stated that last year the Prescott Police Department issued many tickets and one to him specifically which he contested and his ticket was eventually dismissed. He has met with city staff and Council regarding this matter. He feels that fees collected should be reimbursed and how the fines were collected should be looked at.

Member of the public Lawrence Currell addressed the Council as a local business owner and echoed Mr. Herbert's comments, he too received a ticket related to this code issue. He added that he has reviewed the number of citations issued and it is significant, and there was no consistency.

City Attorney Joseph Young responded that this was presented at a previous Study Session, there was a no back in rule being enforced even though code did not properly address it. The updates have remedied that and the code language has been clarified to specify the areas where no back-in parking is allowed. This is an enforcement issue. With timed or other limited parking, the Police Department does not have an automated process for backing in based on the supreme court ruling regarding not chalking vehicle tires.

Mayor Goode stated that the concept of reimbursing hundreds of tickets is not practical in any way particularly when most of the fines go outside the city. He has received contact from people seeking consistency so he errs on the side of making sure there is visible and accurate signage.

Mr. Young concurred and added that it was not possible to determine what was specifically related to no back in parking, the city did stop it when they identified the issue.

Councilman Moore thanked the citizens that addressed the Council today, he feels there is a moral obligation to refund money for tickets that were issued improperly. He doesn't like this ordinance and will not vote for it.

Councilman Montoya echoed Councilman Moore's comments. The Police Department presentation glossed over this item during the Study Session and didn't really cover the issue itself. He doesn't support this because he doesn't feel that staff has given him enough information to do so.

Mayor Pro Tem Cantelme asked if this only applies to city owned property.

Mr. Young stated that parking can only be enforced on city property.

Councilman Gambogi commented that if there is signage you cannot back in.

Staff confirmed.

**MOTION BY MAYOR PRO TEM CANTELME TO ADOPT ORDINANCE NO. 2024-1859; SECONDED BY MAYOR GOODE: PASSED (4 - 3) COUNCILMAN MOORE, COUNCILMAN MONTOYA AND COUNCILMAN GAMBOGI
DISSENTING**

11. REGULAR AGENDA

- A. Public Hearing Regarding Proposed Increases to City of Prescott Water & Wastewater Rates.

Finance Director Mark Woodfill provided a presentation to Council regarding the proposed water and wastewater rate increases. He reviewed the information that was provided to the Council during the May 14 Workshop Meeting, and stated that once the public hearing is closed, if the rates are approved they will go into effect on July 1, 2024 and be adjusted over the next five years as follows:

Water Rate Revenue Increase:

- * FY25 - 13%
- * FY26 - 11%
- * FY27 - 2%
- * FY28 - 2%
- * FY29 - 2%

Wastewater Rate Revenue Increase:

- * FY25 - 18%
- * FY26 - 17%
- * FY27 - 8%
- * FY28 - 7%
- * FY29 - 4%

Councilwoman Fruhwirth commented that she is receiving a lot of public concern regarding these rates, and asked if there are any alternatives to the proposed rates.

Mr. Woodfill responded that it has been smoothed out as much as possible, the only way to make it smaller is to defer public works projects out to later years. Projects are budgeted over a period of time and pushed out when necessary and possible.

Public Works Director Gwen Rowitsch added that in excess of \$30 million in projects have been pushed beyond the five-year window because the rates were not going to be something the citizens could withstand. Most of our projects are related to aging infrastructure, it is catching up in this community, it is infrastructure that was built in the 1940s which needs updating. Water and wastewater projects are looked at holistically to determine what cuts or push offs can be done.

Councilwoman Fruhwirth asked about the debt-issue ratios and policies, are there things from that standpoint that could be changed to ease these changes.

Mr. Woodfill responded that these are set by WIFA and couldn't be changed by the Council. If Council is unwilling to adopt these rates more projects can be pushed but it would impact the liability of the system.

Mayor Goode asked staff to review the current rates within each tier. All water users need to embrace the fact that we need to use water more conservatively.

Mr. Woodfill responded that for 5,000 gallons of water usage a bill would go up \$13.59 for both water and wastewater, higher water usage will adjust the increase in a more significant way.

Mayor Pro Tem Cantelme stated that after reviewing the graphs provided at the Study Session she found that impact fees had not been adopted at the proposed rate back in 2019 when they were last reviewed.

Mr. Woodfill responded that water and wastewater rates were adopted in 2019, impact fees are different and don't affect these rates.

Councilmember Rusing discussed the tiered water system in the city which enforces the importance of water conservation and stated that this infrastructure is critical.

Councilman Montoya asked about the pushed capital projects and if that is a common amount and process.

Ms. Rowitsch responded that she has been with the city for 19-years and three rate studies, we always push projects but has never seen it done to this degree. Staff tries to balance not just the financial side of projects but also how staff can facilitate them.

Councilman Moore commented that instead of looking at the percent increase it is better to look at the dollar amount increase because it will impact everyone differently.

Mr. Woodfill added that staff has spent a great deal of time reviewing this and determining what will work for the city and added that wastewater rates are set based on average winter consumption (October through April and set every May).

Councilman Moore commented that the topography and age of Prescott affect our infrastructure in ways that it doesn't impact other communities.

Member of the public Deb Thalasis addressed the Council regarding the rate increases, she feels the developers put their own infrastructure in but based on the history there is a significant deficit which is covered by fund balance which isn't abnormal but Prescott is falling higher than it should be. She asked what percentage of user fees is going to front load development and what the industry standard is, and is the city aligned.

Mr. Woodfill confirmed that is common, have to build capacity to serve capacity

across the city that won't be used for many decades at times. Fees and rates are looked at every five years and the fees are as high as legally possible in the state of Arizona. As part of the study there is an appendix that shows payback coming in the future years but it will not be totally eliminated.

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

- B. Adoption of Resolution No. 2024-1889 and Ordinance No. 2024-1862 Implementing Increases in Water and Wastewater Rates Over the Next Five Years.

Finance Director Mark Woodfill stated that these are the rates which have been discussed.

MOTION BY COUNCILMAN MOORE TO ADOPT RESOLUTION NO. 2024-1889 & ORDINANCE NO. 2024-1862; SECONDED BY COUNCILMAN MONTOYA: PASSED (7 - 0)

- C. Public Hearing Regarding the Infrastructure Improvement Plan (IIP) & Land Use Assumptions (LUA) for Development Impact Fees.

Finance Director Mark Woodfill provided a presentation to Council and reviewed the timeline for the proposed Impact Fees moving forward and stated that, rates, if approved, would become effective January 1, 2025.

Timeline:

- * July 9 Study Session on Impact Fees
- * July 9 Adoption of IIP & LUA, and Adoption of Notice of Intent Setting Public Hearing on Impact Fees
- * August 27 Public Hearing on Impact Fees
- * October 8 Adoption of Impact Fees
- * July 1, 2025 Fees Effective

Councilmember Rusing asked what the policy is on waiving, reducing or deferring the development impact fees.

Mr. Woodfill responded that state law prohibits the waiver of development impact fees, if Council determines to pay fees for a particularly important economic reason that would come out of the General Fund through action of the Council.

Mayor Pro Tem Cantelme stated that there are infrastructure and structural impact fees which are currently charged, but they need to be raised.

Mr. Woodfill added that the Council can choose to not adopt the allowable maximum, but they have to have the impact fees. When the Council reviews and adopts they can do so within a specific allowable range. These impact fees are utilized to address water, wastewater and water resource fees.

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

- D. Adoption of Ordinance No. 2024-1861 & Approval of WSA24-017 - A Request for a Rezoning from SF-18 (Single Family) to BG (Business General) & a Water Service Application for an Additional 2.1 Acre-Feet Per Year for a Thirty-Six (36) Unit RV Park on a 2.14 Acre Parcel. Location: APN 112-05-058b, 1646 Iron Springs Road. Property Owner: KL HB LLC. Applicant: Leah Beck.

Community Planner Tammy Dewitt addressed Council regarding the proposed rezoning, which will allow for a 36-unit RV park and amenities. Planning & Zoning Commission recommended approval 6-1 and the Water Service Application was approved unanimously by the Council Subcommittee on Water Issues. Subject parcel is currently vacant and no other projects have been proposed. The site plan will need to be updated before it moves forward to the Board of Adjustments, traffic impact analysis and engineering still will be necessary as well.

Compatibility:

- * West - apartments
- * East - commercial office
- * South - pre-existing mobile home and RV Parks

Mayor Pro Tem Cantelme stated that she has heard some concerns regarding this development and going from single family into business general zoning. After speaking to many people who have contacted her, they're opposed to this zoning allowing overnight camping which could lead to an encampment, and she asked how the city can prevent the tents. She also asked about fencing surrounding the development being solid.

Applicant Leah Beck responded they will not allow tent camping, this is for seasonal travelers and working professionals that need a place to stay for a few days or months. They will be living on the property as well, and would provide alternatives to workforce housing. These are a person's home. They are open to fencing while still maintaining the residents view and experience as well but they can look into it.

Ms. Dewitt added that the Conditional Use Permit process will be the time for these issues and concerns to get addressed.

Councilmember Rusing commented on the importance of addressing possible loopholes, so regulations and conditions should be in writing so that nothing that wasn't intended happens.

Councilman Moore stated that he is concerned that the site doesn't become a trailer park and doesn't know that he is in favor of long-term stays. He added that the density concerns him a bit because he doesn't know that the natural beauty could be contained with that density.

Ms. Beck addressed Councilman Moore's questions.

Ms. Dewitt added that these types of parks generally don't attract things that aren't higher end, staff can work with the applicant regarding specific regulations to be included in the Conditional Use Permit and fencing to address Council's

concerns. Those conditions would run with the land and not the ownership. This change is consistent with the current zoning of the area.

Member of the public Mike Fann addressed the Council on behalf of the Workforce Housing Committee regarding finding transitional housing for public safety employees, teachers and healthcare workers. This would meet that need, and he encouraged Council to approve the item before them and work out the details as they come.

City Attorney Joseph Young added that the Conditional Use Permit parameters are up to the Board of adjustment, the water will be tied to the usage in the item. Council can direct staff to include the requirement for no tent camping in the Conditional Use Permit to the Board of Adjustment.

Mayor Pro Tem Cantelme stated that she would like to have that information included in the conditions when this item moves to Board of Adjustment.

Council consensus.

**MOTION BY MAYOR PRO TEM CANTELME TO APPROVE WSA24-017;
SECONDED BY COUNCILMEMBER RUSING: PASSED (6 - 1) COUNCILMAN
GAMBOGI DISSENTING**

**MOTION BY MAYOR PRO TEM CANTELME TO ADOPT ORDINANCE NO.
2024-1861; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

- E. SITE23-015 & WSA23-063: Site Plan Review and Water Service Application for QuikTrip Fueling Station & Convenience Store. Zoning: BR (Business Regional). Location: APN 112-05-058b, 2280 E State Route 69 Prescott, AZ 86301. Property Owner: Sarti Properties Limited. Applicant: Daniel Chambers- QuikTrip Corporation.

Community Planner Kaylee Nunez provided a presentation to Council regarding the proposed project. This project meets the Zoning of the area and reviewed all of the necessary criteria which have been met.

Summary:

- * Proposed site plan meets all required building setbacks
- * Proposed site plan meets required parking spaces
- * Proposed site plan satisfies all additional review criteria per LDC 9.8.5
- * Ingress taken via right only off Highway 69, egress to be taken via Lowe's entrance
- * Site plan approval process triggered by prior Water Policy

Timeline:

- * Application received - Dec. 6, 2023
- * Planning & Zoning Commission (P&Z) Review and Recommendation - Feb. 29, 2024
- * Board of Adjustment (BOA) Studies - Feb. 15 and May 21
- * BOA Approval - April 18
- * Water Issues Subcommittee (WIS) Approval Recommendation - May 7

* P&Z and BOA added stipulations to put a 6' buffer wall on the northern edge of the development as well as tie development to the provided site plan, and WIS reinforced these conditions as well as adding a request to move the underground fuel tanks to the north of the main building and away from the wash.

Mayor Goode asked if they have committed to using the new low water plant pallet.

Ms. Nunez responded that they have and added that it is a requirement.

Councilmember Rusing stated that she has always been impressed with QuickTrip locations she has visited and added that during the WIS meeting they had extensive conversations regarding concerns about the wash that winds through Prescott Canyon Estates to Watson Woods, and the applicant has been very open to working with all requests they have received. However, she would like things in writing so that in the future no changes could be made.

Ms. Nunez responded that approval would be tied to the site plan as presented to ensure that.

Councilman Moore expressed his concerns regarding a 24-hour a day business.

Applicant Daniel Chambers addressed the need for 24-hour operations.

Mayor Pro Tem Cantelme asked about how many deliveries the company expects to receive at this location.

Mr. Chambers stated that would anticipate 15-20 deliveries per day at this location and likely during the day but some may take place at night.

Mayor Goode asked when construction will begin.

Mr. Chambers responded that they will begin after all of the processes are done with the city, they have spoken with ADOT regarding the widening of Highway 69 and will work in collaboration with them on that.

Councilman Gambogi asked how this pencils out given surrounding gas stations, he also asked how drivers would enter the station.

Mr. Chambers responded that they are unique and superior because of their employees, and added that there is enough existing traffic in the corridor to meet the need. Finally, he said that a person would enter the station off of Holiday Drive.

Councilman Moore asked what activity would occur in the back of the store.

Mr. Chambers responded that fuel delivery would take place there which is a 20-25 minute process.

Member of the public Karen Monks addressed the Council as president of the

Prescott Canyon Estates HOA which is a retirement community that is very serene. She also addressed the mentioned six foot wall which would be very close to homes in proximity and stated that any dynamite work would negatively impact homes. They are adamantly opposed because: 1. The ground is not suitable or stable enough for fuel tanks, 2. The location is uphill from the community and the creeks their wash intersect with, 3. Move of tanks placed them closer to homes than before, 4. This plan is before Council too soon and should go back to P&Z and WIS before approving.

Ms. Nunez stated this site plan is in substantial conformance with what P&Z approved.

Member of the public Antoinette Perry addressed the Council regarding the negative impacts that this project will have on the Prescott Canyon Estates community. The fuel tanks are now closer to homes than they were before and the wind will carry the gasoline fumes the home negatively impacting the health of the residents. None of the concerns they shared with the Board of Adjustment were discussed.

Member of the public Michael Calder addressed the Council as a lifetime scientist stating that liquids from the station will flow down to the neighborhood. Gasoline is a very dirty chemical and once it is in the ground it is impossible to clean. This is a disaster waiting to happen.

Member of the public Leigh McKinsey addressed the Council regarding the age and fragility of the homes in Prescott Canyon Estates, when construction of this project begins it will cause shifting and damage to the homes. She also discussed the importance of the protection of the creek/wash to preserve the surrounding lakes and ultimately the Verde River.

Member of the public Patricia Mathews addressed the Council as a resident of Prescott Canyon Estates that will be closest to the proposed project and wants to know the reason for putting this project right in front of her home. It is already difficult enough to get in and out of their development and this will make it harder. With all the granite in the area they won't be able to level the land without using explosives which will damage homes.

Member of the public Roger Mathews addressed the Council as the first home behind the proposed project, just 40 feet from the property. He stated that Code 9.3.5(E) which states that if the uses is permitted in another region there must be a substantial reason for placing a project in the proposed area.

Member of the public Dennis Anton addressed the Council as a resident of Prescott Canyon Estates regarding his concerns related to the gas fumes and it's impacts on future generations.

Member of the public Susan Perkins addressed the Council regarding issues with Lowe's construction that she witnessed. She also commented on the wildlife and wash in the community and how they would be negatively impacted by the project.

Councilman Gambogi asked what other Boards have reviewed this.

Ms. Nunez reiterated that P&Z has reviewed and approved, there were three BOA meetings and discussions to address neighborhood concerns prior to their approval and finally one meeting of the WIS group. She reminded the Council that all criteria have been met and any requested conditions have been layered and addressed.

Councilman Montoya asked what the Council is required to take action on today.

Ms. Nunez confirmed that it is just the water service application and the site plan. She added that the Conditional Use Permit was already determined by the Board of Adjustment. This site plan requirement comes from the Water Policy so this approval is tied to that.

Mayor Pro Tem Cantelme asked about the fence line and block wall.

Ms. Nunez responded that it was a wall from P&Z and BOA and will be reviewed and approved at time of permitting.

Mr. Chambers responded that it will be a block wall, it is always their intention to meet all of the criteria and requests in the spirit that it is requested. They are willing to increase the size of plantings but have not because of the water policy requirements.

City Attorney Joseph Young clarified that they are reviewing the site plan and water, the use of the parcel has already been approved.

Mayor Goode commented that he has been at nearly all of these meetings and has heard all of the concerns of the neighborhood, he doesn't see a legitimate benefit to this project. He is disappointed in P&Z and BOA.

Councilmember Rusing commented on the issues with ingress/egress in this area and stated that this will only compound that problem.

Councilwoman Fruhwirth asked what the implications would be if the Council doesn't approve this. The water policy doesn't address environmental concerns which is something that she has an issue with.

Mr. Young responded that it depends on the reasonable basis, the water under the city's policy can review the use and if there is a benefit to the city and if the line work on the site plan is appropriate. The big issue is a lot of these questions were for BOA and they have already made a decision which the Council cannot override, in making a determination on the water it is based on the policy and the site plan approval is based on the line work of the plan.

Ms. Nunez added that this is not something that would trigger a site plan review on its own, it is only because of the water policy requirements. The site plan is an outline to give all reviewing bodies an idea of where the water estimates are

coming from.

Mayor Goode asked what the water usage will be.

Mr. Chambers responded that the water usage is coming from volume of customers, how many times the toilets will flush, soda machines, cleaning and maintenance, landscaping plan which uses the minimal amount of plants. Water will not be used to clean fuel spills.

Councilman Moore commented that he can't recall a time when he was more frustrated on an agenda topic, he feels frustrated that the Council doesn't have the control over that and at this point they need to move to a vote.

Councilman Montoya stated that he is sympathetic to these concerns, but the Council is only charged with the water and the site plan. The BOA made a decision regarding use. Per legal advice there is no reason to deny this application and that would leave the city in a bad position.

Councilmember Rusing stated that this process has been through appointed bodies, she is tired of being told by staff they are only allowed to look at certain things, their job is to address the big picture. This will be unsafe and as an elected body they have a right to say no.

Mayor Goode stated that he is opposed to this project and would be abstaining from the vote.

**MOTION BY COUNCILMAN MONTOKA TO APPROVE WSA23-063;
SECONDED BY COUNCILMAN GAMBOKI: PASSED (3 - 3 - 1) MAYOR
GOODE ABSTAINING; MAYOR PRO TEM CANTELME, COUNCILMAN
MOORE AND COUNCILMEMBER RUSING DISSENTING**

**MOTION BY COUNCILMAN MONTOKA TO APPROVE SITE23-015;
SECONDED BY COUNCILMAN GAMBOKI: FAILED (3 - 4) MAYOR GOODE,
MAYOR PRO TEM CANTELME, COUNCILMAN MOORE AND
COUNCILMEMBER RUSING DISSENTING**

- F. Approval of City Contract No. 2024-216 with Fann Contracting, Inc. for the Construction of the Solid Waste Scale & Fee Booth Relocation Project in the Amount of \$2,338,441.90. This item is also to approve night work for the project. Funding is Budgeted & Available in the Streets and Solid Waste Funds.

Capital Program Manager Tim Sherwood provided a presentation to Council regarding the solid waste scale and fee booth location to improve ingress and egress to and from the solid waste facility to benefit users, staff and public safety personnel. He reviewed the existing issues with traffic accessing the transfer station.

Councilmember Rusing commented that this is a great project.

**MOTION BY COUNCILMAN MOORE TO APPROVE CITY CONTRACT NO.
2024-216; SECONDED BY MAYOR PRO TEM CANTELME: PASSED (7 - 0)**

- G. Discussion & Possible Action Regarding Approval of the Water Budget Roll Over in Accordance with the Amended 2022 Water Management Policy.

MOTION BY COUNCILMEMBER RUSING TO POSTPONE DISCUSSION ON THIS ITEM UNTIL THE JUNE 11, 2024 VOTING MEETING; SECONDED BY MAYOR PRO TEM CANTELME: PASSED (5 - 1 - 1) COUNCILMAN MONTOYA ABSTAINING; COUNCILMAN GAMBOGI DISSENTING

12. ADJOURNMENT

Quote: "Work hard, do your best, keep your word, never get too big for your britches, trust in God, have no fear and never forget a friend." - Harry Truman

There being no further business to discuss, Mayor Goode adjourned the meeting at 7:12 p.m.

ATTEST:



SARAH M. SIEP, City Clerk


PHILIP R. GOODE, Mayor

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 28, 2024. I further certify the meeting was duly called and held and that a quorum was present.


Sarah M. Siep, City Clerk