



City of Prescott

City Council - Voting Meeting

September 10, 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 3:00 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Cantelme announced that the city's General Plan comment period will begin on September 23 and go through November 21. The city is seeking public comment on the draft 2025 General Plan document, and the required public comment period will last 60-days. Also, during this time, the city will host two public Open Houses where staff and General Plan Committee members will answer questions about the plan on Monday, September 30 from 3-6 pm at the Rowle Simmons Adult Center, 1280 E. Rosser Street and Thursday, October 24, 2024 from 3-6 pm at the Prescott Public Library Founder's Room, 215 E. Goodwin Street. Finally, a Virtual Meeting Room has been created for the public to review the entire draft plan, and to provide comments by visiting [PlanPrescott.com](https://planprescott.com) and citizens may also ask questions by emailing Hello@planprescott.com.

She also discussed the ongoing Public Safety Open Houses to provide information regarding public safety in Prescott, and outline details of Proposition 478 which will be on the November ballot. These open houses will provide facts and data about Prescott's current public safety infrastructure, and how proposed additional revenue will help build and staff fire stations and police facilities into the future. The open houses will feature information boards and handouts and members of staff will be available to answer questions. The next open house meeting will be: Thursday, September 12, from 6-8 pm at Fire Station 72. The address is 530 6th Street. To learn more about Prescott's public safety needs, and to view documents and presentations about Proposal 478, and for a list of all upcoming open house meetings, please visit ParticipatePrescott.com

3. INVOCATION - Pastor Dan Hurlbert with Prescott United Methodist

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. PROCLAMATIONS

- A. Constitution Week - September 17-23
Mayor Goode presented the Proclamation.
- B. International Day of Peace - September 21
Councilman Moore presented the Proclamation.
- C. Prescott Highland Games & Celtic Faire - September 28-29
Mayor Pro Tem Cantelme presented the Proclamation.

7. OPEN CALL TO THE PUBLIC

A. Lucy Mason and Maren Decker addressed the Council regarding JustServe a community website that serves local nonprofit and assists them in reaching volunteers. The organization is nationwide and throughout the County. They discussed the September 11 National Day of Service and Remembrance and events in the coming weekend. Visit justserve.org for additional information.

8. CONSENT AGENDA

MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.F., EXCLUDING ITEM 8.C.; SECONDED BY MAYOR PRO TEM CANTELME: PASSED (6 - 0 - 1) COUNCILMEMBER RUSING ABSTAINING

- A. Approval of Meeting Minutes from the August 13, 2024 Executive Session, the August 13, 2024 Study Session, and the August 13, 2024 Voting Meeting.
- B. Approval of City Contract No. 2024-178C1, a Consent to Assignment of City Contract No. 2024-178 from Geophex, Ltd to Aeroquest Mapcon, Ltd.
- C. Adoption of Resolution 2024-1902 Approving City Contract No. 2025-071 an IGA with Central Arizona Fire & Medical Authority (CAFMA) for the Prescott Regional Emergency Services Cooperators for Mutual Aid & Various Cooperative Services.

Councilmember Rusing pulled this item from the Consent Agenda for further discussion stating that this is an important contract which highlights the need for regional cooperation and asked Fire Chief Holger Durre to address some of the highlights.

Chief Durre addressed the Council and confirmed the importance of the regional and national cooperation between the city and other agencies. This is a boundary drop agreement. When calls come into the regional communication center, the closest unit is dispatched regardless of the jurisdiction or apparatus. This agreement also helps to save money for the best responses and options for level of service with mutual collaboration and allows for joint purchasing power. Finally, community risk reduction is enhanced through this cooperative agreement.

MOTION BY COUNCILMEMBER RUSING TO ADOPT RESOLUTION NO. 2024-1902; SECONDED BY MAYOR GOODE: PASSED (7 - 0)

- D. Approval of City Contract No. 2025-074 with Fire Aside Inc. for the Purchase of Defensible Space Inspection Software. Funding is Budgeted & Available in the Fire Department Fund.
- E. Adoption of Resolution No. 2024-1903 Approving the Transfer of Certain Fiscal Year 2024 Budget Appropriations.
- F. Approval of City Contract No. 2025-078 with Arizona Control Specialists Inc. for the Purchase & Installation of HVAC Controls for New City Hall (201 N. Montezuma) in the Amount of \$114,000.00. Funding is Budgeted & Available in the General Fund.

9. LIQUOR LICENSE

- A. Public Hearing and Consideration for an Owner Transfer Series 6 Bar Liquor License Application from Kevin Arnold Kramber, Applicant, for Fairweather Social Club. Location: 224 N Cortez Street.

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

MOTION BY MAYOR PRO TEM CANTELME TO APPROVE ITEM 9.A.; SECONDED BY COUNCILMAN MONTOYA: PASSED (6 - 0 - 1) MAYOR GOODE ABSTAINING

- B. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Amy Nations, Applicant, for Barbudos Grill & Cantina. Location: 1042 Willow Creek Road.

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

MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE ITEM 9.B.; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

10. REGULAR AGENDA

- A. Adoption of Ordinance No. 2024-1872 Approving the Sale and Execution & Delivery of a Pledge Revenue Refunding Obligation, Series 2024, and Declaring an Emergency.

Finance Director Mark Woodfill provided a presentation regarding the outstanding debt issue for the Municipal Property Corporation (MPC) Board and introduced Tom Carlson, Director, with RBC Capital Markets to discuss the debt issue.

Mr. Carlson addressed the Council regarding the MPC's Series 2014 bonds with an interest rate of 4.9% to acquire land for the water ranch, this is an old piece of debt for the city and funds can be saved by taking this action. After the refunding the MPC will be dissolved. Over a 10-year period a savings of \$483,000 and 6.72% will be achieved and rating will be published tomorrow at AA+ level which is the second highest rating. Official statement will be printed on Thursday and

closed on October 9.

Mayor Goode asked if this is one bond or a series of bonds.

Mr. Woodfill responded that all of the bonds associated with this issue will be resolved and the MPC will be dissolved.

Councilmember Rusing stated that there are schedules and exhibits that are blank within the attachments and asked staff to address that.

Mr. Woodfill responded that those will be filled in as the bonds are resolved over the coming month, and will be filled in before signature.

Councilman Gambogi asked what impact this has on the Industrial Development Authority Board.

Mr. Woodfill stated that it is not related. He continued by reviewing the MPC history which has been very beneficial for the city over the last 40 plus years. He also thanked the members who have been serving on the Board for a long time.

MOTION BY COUNCILWOMAN FRUHWIRTH TO ADOPT ORDINANCE NO. 2024-1872; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

- B. Adoption of Ordinance No. 2024-1874 Amending Prescott City Code Title I, Chapter 1-1, Section 1-1-5 Definitions to Add a Definition for "Public Safety Services".

Mayor Pro Tem Cantelme commented on the need for Prop478 to meet public safety needs and stated that the City Attorney has updated the code to address concerns related to the definition of public safety services.

City Attorney Joseph Young stated that there were comments from the public regarding various definitions for public safety services and this Ordinance will establish a legal definition within the city code to ensure that it addresses police and fire only.

Mayor Pro Tem Cantelme read from the Ordinance revising the definitions.

Mayor Goode stated that there was legitimate concern in the community regarding the vagueness of the city code and could impact how the funding was used over the long term course of this tax.

Councilwoman Fruhwirth commented that there has been misunderstanding in the community regarding public safety and public safety services. By voting on this today, the Council will codify that police and fire expenditures are what Prop478 will cover.

Councilmember Rusing added that dispatch is included as well, because it is an integral part of the public safety process, as well as medical services.

Member of the public Kathleen Murphy addressed the Council and thanked them

for this process. She stated that concerns regarding the verbiage have been discussed and thinks this clarification is important.

MOTION BY MAYOR PRO TEM CANTELME TO ADOPT ORDINANCE NO. 2024-1874; SECONDED BY COUNCILWOMAN FRUHWIRTH: PASSED (7 - 0)

- C. Adoption of Resolution No. 2024-1905 Affirming Use of Funds Generated from Prop478 as a Dedicated Public Safety Privilege Tax.

Mayor Pro Tem Cantelme asked Finance Director Mark Woodfill to address this Resolution which speaks to the second concern related to the Prop478. She stated that new software service OpenGov will help with transparency in the process.

Mr. Woodfill stated that these funds will be put into a separate revenue fund within the General Fund that will be discussed during all Council budget workshops. It is a line item within the General Fund. He added that OpenGov is a transparency tool for services offered across the city and within the city budget that the Finance Department will utilize.

Councilwoman Fruhwirth asked about operationalizing this process with monthly reports provided by the Finance Department.

Mr. Woodfill stated that the reports will give transparency ongoing as things happen. The monthly reports that Council is currently receiving are activity reports and slightly differ but will continue to be provided as they have been.

Councilmember Rusing asked if this is considered a "sub-fund" of the general fund.

Mr. Woodfill stated that it is not a separate fund, it is a restricted revenue account. It will be tracked on the financial and budget reports but will be part of the General Fund. Legal restrictions will be part of the annual budget process.

Mayor Pro Tem Cantelme thanked City Manager Dallin Kimble for bringing OpenGov to the city.

Mr. Kimble clarified that the Finance Department had already been working on this process before he got here.

Mayor Goode stated that this would be a great addition to public transparency.

Member of the public Sherrie Hanna addressed the Council and thanked the public for their support of Police and Fire. She also thanked the members of Council who have participated in public forums to discuss Prop478.

MOTION BY MAYOR GOODE TO ADOPT RESOLUTION NO. 2024-1905; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)

- D. Presentation, Discussion & Possible Action Regarding Selection of a Location for a Permanent Sculpture Garden in the City of Prescott.

Recreation Services Director Joe Baynes provided a presentation to the Council in follow up to the August 13 Voting Meeting discussion following which staff reviewed possible locations for a permanent sculpture garden to be located within the city. He reviewed the three proposed locations that the Council can decide between for this proposal and added that staff's recommendation as the most suitable site is Honor Island Park on Gurley Street.

Councilmember Rusing commented that she was absent at the August 13 Meeting and has some information from the Granite Dells Preservation Foundation who feel that the Peavine Trail is not conducive to the sculpture garden area, and it would be better off someplace else. She added that Honor Island has benches, seating and a flag pole which, to her, reflects honor for the military and veterans.

Councilman Gambogi asked if all the statues would be placed at the approved location.

Mr. Baynes confirmed and stated that all future donations would be placed there as well.

Councilmember Rusing stated that there is nothing in the policy that requires public input, but suggested that there should be more of that and that a 60-day public comment period would be beneficial. She suggested loaning the accepted sculptures to a private party for display.

Mayor Goode stated that Honor Island formerly had a WWII Artillery piece on it, but the city's ability to maintain it was being compromised so the piece was relocated to the Post 6 on Pleasant Street. He added that, if and when a sculpture garden is established, there is likely additional study that needs to be done and agreed that public comment is important to the process.

Councilman Moore stated that this issue has become controversial when it doesn't need to be. The combination of the former Art in Public Places Committee into the Civic Enhancement Committee in order to address the high number of city Boards and Commissions and the staff and Council time that, go into that was well intentioned, but he feels the new group needs training and perhaps there should be revisions to policies related to that.

Councilman Gambogi commented that there are bigger fish to fry and this doesn't need to be studied to death.

Councilwoman Fruhwirth commented that she feels Honor Island Park should celebrate Americanism and may not be the best location for these pieces. She feels that site selection is important and prefers the biggest site suggested, however, there is a lot of ground work that would need to be done to get it handled. Additionally, she thinks that installation costs should be part of the donation and ongoing maintenance should be handled by the city, she concurred with Councilmember Rusing that these details could be refined in the Policy.

Councilmember Rusing agreed and added that the section related to installation costs in the policy is very confusing. She would like to have it clarified that the donor pay for the installation of public art because that can get very expensive depending on the piece. At this time she thinks any decision on this should be tabled until the policy can be reviewed and updated.

Councilman Moore stated that the public does have the opportunity to comment during the Civic Enhancement Committee Meetings, but often times nobody comes. They've chosen not to be part of the process.

Mayor Pro Tem Cantelme stated that scale and placement are very important when it comes to placing art. She isn't opposed to thinking about this a bit more, but stated that she agrees with staff that Honor Island Park is the best placement for this donation, but there should be future discussion on all donations.

Member of the public Brenda Terris addressed the Council regarding previous work in nonprofits and sculpture placement. Public art affects all departments within a city, it can be a huge draw and can be controversial. She has visited all three areas and feels these sculptures would be a good fit at Honor Island Park, but felt parking would need to be adjusted. The other two locations, in her opinion, would create huge opportunities for the community. She also suggested going back to having a public art committee.

Member of the public Barbara Nelson addressed the Council regarding her intent in having art along the Granite Creek Trail corridor. She agreed that there should be more public input as well, and stated that the sculptures that were donated were not the ones that were pictured. Additionally, she feels that placement of different types of sculptures together in one location doesn't make sense.

Councilmember Rusing stated that what has been donated needs to be clarified.

City Clerk Sarah Siep stated that the same photographs of sculptures were included in two Civic Enhancement Committee packets as well as the August 13 Voting Meeting packet, and those sculptures were the pieces that were accepted for donation. The item before Council today is to make a determination regarding a location for a sculpture garden, however, based on what the staff is hearing from Council they could also provide direction to revise the policy and hold off on any decisions until after that is done.

Mayor Goode stated that this is not ready for consideration. He feels it should be sent back to the Civic Enhancement Committee to be reviewed further because there are too many unanswered questions, he asked staff if the Council could do that or rescind their prior motions.

Ms. Siep responded that the Council could rescind their previous motion and send the item back to the Civic Enhancement Committee to review.

MOTION BY MAYOR GOODE TO RESCIND THE COUNCIL'S AUGUST 13 MOTION TO ACCEPT A SCULPTURE ART DONATION; SECONDED BY MAYOR PRO TEM CANTELME: PASSED (4 - 3) COUNCILMAN GAMBONI,

COUNCILMAN MONTTOYA AND COUNCILMAN MOORE DISSENTING

Mayor Goode commented that he agrees more public noticing should be taking place so citizens can participate.

City Manager Dallin Kimble stated that staff can do more communicating of these issues, and he will work on determining what the best avenues are for people to be made aware.

MOTION BY COUNCILMEMBER RUSING TO HAVE THE GUIDELINES AND POLICY FOR DONATION OF PUBLIC ART COMPREHENSIVELY REVIEWED AND REVISED BY THE LEGAL DEPARTMENT WITH PARTICULAR ATTENTION TO PUBLIC COMMENT PERIODS AND CLARIFICATION ON COSTS OF INSTALLATION; SECONDED BY MAYOR PRO TEM CANTELME: PASSED (5 - 1 - 1) COUNCILMAN GAMBONI DISSENTING AND COUNCILMAN MONTTOYA ABSTAINING

Ms. Siep stated that staff will work on getting the policy revised and returning to Council for review and approval. She also suggested that all donations be put on hold until the policy can be revised. Council consensus to wait on any donations until the policy can be revised and approved.

Following votes on this item, member of the public Sherrie Hanna stated that she had submitted a card and not spoken. Mayor Goode called her to the podium and she addressed the Council regarding Honor Island Park which was named to honor veterans and pioneers of the Prescott community. She respectfully requested that the location be taken off the list for consideration.

Mr. Baynes clarified that Ms. Hanna was actually talking about Memorial Island and not Honor Island Park.

- E. Approval of Acceptance of a \$3,100,000.00 Arizona Department of Transportation (ADOT) Grant E5S5A01L for Land Acquisition for Airport Protection at Prescott Regional Airport - Ernest A. Love Field.

Airport Director Rick Crider provided a presentation to the Council regarding the award of funds for Prescott Regional Airport.

Mayor Goode commented that this funding will be used for airport protection which will help to offset the costs of land acquisitions that the Council has been working on.

Mayor Pro Tem Cantelme concurred, the city is 75% reimbursed at this time which is wonderful.

Councilmember Rusing stated that the Council must be meticulous in following the requirements of the FAA, critical to protect the health and welfare of the community.

Councilman Moore stated that open space for recreation is important for our residents. He added that the 10% match required to be paid by the city has

already been paid.

Mr. Crider confirmed.

**MOTION BY MAYOR PRO TEM CANTELME TO APPROVE ITEM 10.E.;
SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)**

- F. Approval of Acceptance of a \$243,000.00 Federal Aviation Administration (FAA) Grant 3-04-0030-055-2024 for On-going Planning Work at Prescott Regional Airport - Ernest A. Love Field.

Airport Director Rick Crider provided a presentation to the Council regarding a review of the geometries of the runways at the airport, this grant funding will help to address those matters. The city match for this is \$12,700.

**MOTION BY MAYOR PRO TEM CANTELME TO APPROVE ITEM 10.F.;
SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

11. COUNCIL LIAISON BCC UPDATES

City Clerk Sarah Siep provided an update from Councilmembers for their respective city Board, Commissions and Committees as follows:

Mayor Pro Tem Cantelme - Workforce Housing Committee: The Committee is currently looking into the opportunities of Accessory Dwelling Unit (ADUs) which will be coming forward to the Council in the future as a possible solution for rentals in the community. Mayor Goode - Charter Review & Water Policy Review Ad Hoc have concluded their work and been dissolved. Veterans Ad Hoc has conducted seven (7) community outreach townhalls, most recently at Prescott Lakes with over 50 participants.

Councilman Gambogi - General Plan Committee: The draft General Plan is ready for review and the 60-day public comment period opens September 23

Councilman Gambogi - Water Issues Subcommittee: The Subcommittee has reviewed and made recommendations on seven (7) water service applications this year, two (2) of which will be coming forward to the Council later this month. Additionally, staff is preparing presentations related to storm water quality regulatory requirements and a long-term Water Management Plan which the Subcommittee will be reviewing soon.

Councilman Gambogi - Pedestrian, Bicycle & Traffic Advisory Committee: At their September meeting, the Committee received a presentation regarding striping and signage changes for Westridge Drive. The proposal includes new white edge lines, "25 MPH" and "SLOW" pavement markings and markings/regulatory signs to encourage drivers to obey the speed limit. Staff will be working on these items.

Upcoming BCC Meetings:

September 11 Tourism Advisory Committee

September 12 Planning & Zoning Commission

September 13 Prescott Preservation Commission

September 17 Airport Advisory Committee

September 18 CDBG Citizens Advisory Committee

September 19 Board of Adjustment

September 26 Civic Enhancement Committee

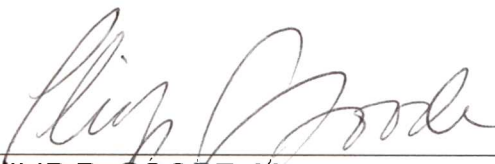
October 1 Water Issues Subcommittee

October 2 Veterans Commission

12. ADJOURNMENT

Quote: "Our government leaders have made many mistakes in the past when they have lost sight of the sacred American values rooted in the Declaration of Independence and the Constitution. We are at the brink of even greater mistakes and assaults on these values." - Samuel Dash

There being no further business to discuss, Mayor Goode adjourned the meeting at 5:07 p.m.



PHILIP R. GOODE, Mayor

ATTEST:



SARAH M. SIEP, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council Voting Meeting of the City of Prescott, Arizona held on September 10, 2024. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Siep, City Clerk

