



City of Prescott

City Council - Voting Meeting

January 28, 2025 | 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 Goode asked for a moment of silence in honor of former Prescott Mayor Rowle Simmons who passed away earlier in the day.

Mayor Pro Tem Cantelme stated that the City of Prescott Workforce Housing Committee will host a Community Town Hall meeting on Thursday, January 30 at 5:30 pm at Prescott City Hall in the Council Chambers, or virtually online. She added that the Prescott Public Works Department will be conducting night work on State Route 89 between the Willow Lake Roundabout the Phippen Roundabout January 27 through 31 from 8 pm to 5 am for testing and preparation for the underground utility improvements in that area. This work is an initial phase of the planned underground utility improvements on SR89.

3. INVOCATION - Pastor Scott Savage with Prescott Cornerstone Church

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. Presentation from Public Works Staff Regarding 2024 Completed Transportation Projects

Transportation Manager Ian Mattingly provided a presentation regarding 2024's completed traffic projects.

Traffic Calming Related Projects:

- * Goals - promote slower speeds through enhanced signing/stripping/pavement markings/legends, visually narrow the roadway and better channel vehicles away from driveways/sidewalks/homes, retain parking in critical areas, and add pedestrian crossings
- * Rosser Street Traffic Calming
- * Robin Drive & Clearwater Drive Traffic Calming
- * Country Park Roadway Edge Lines
- * Garden Street Speed Humps

Traffic Control Projects:

- * Goals - enhance safety by reducing collisions through minimizing conflicts and assigning right-of-way, improve operation by reducing delay and congestion through efficient operation, accommodate pedestrian and bicycle movements and add enhanced signing and markings where appropriate to increase awareness of all users
- * 4-way Stop on North Mt. Vernon at Moeller Street
- * Prescott Lakes Parkway at Sundog Ranch Road Traffic Signal and Intersection Improvements
- * 4-way Stop on Trail Walk at Brookside Trail
- * Multi-way Stop on Clearwater Drive at Robin Drive
- * 4-way Stop on Crossings Drive at Clearwater Drive

Bike Facility Improvement Projects:

- * Goals - increase safety for cyclists by reducing risk of collisions by adding clearly defined bike lanes and other facilities, provide connectivity and improve accessibility to transportation, encourage cycling as a mode of transportation, and reduce congestion and enhance overall traffic flow
- * Willow Creek Road Bike Lane Improvements
- * Rosser Street Traffic Calming

Speed Limit Projects:

- * Goals - better align driver behavior with geometrics and roadside development, reduce or eliminate unnecessary requests for enforcement, smoother flow with more traffic travelling near the speed limit, and reduces requests for traffic calming mitigation on a roadway designed to move traffic at higher speeds
- * Williamson Valley Road Speed Limit Increase
- * Hassayampa Village Lane Speed Limit Increase

Intersection Safety Projects:

- * Goals - improve driver awareness and compliance, reduce traffic conflicts and collisions, encourage safe and predictable driving behavior, enhance traffic flow and reduce congestion, increase visibility and communication at complex/busy intersections, and increase safety for pedestrian and cyclists
- * Roundabout LED Flashing Yield Signs
- * 4-Points Pedestrian Safety Flags
- * South Mt. Vernon at Carleton Street Flashing Beacon
- * SR89 at Rosser Flashing Yellow Arrow

Striping & Parking Projects:

- * Goals - improve driver awareness and compliance, ensure unimpeded access for emergency vehicles, reduce traffic conflicts and collisions, enhance student safety during drop-off and pick-up, reduce illegal parking and maximize parking efficiency
- * Lee Blvd Fire Station and Intersection Striping
- * Taylor Hicks School Loading Zone
- * N Pleasant Street Angled Parking
- * S Cortez Street Angled Parking

Councilmember Rusing thanked staff for getting the blinking lights on the crosswalks. She asked about striping that will be done for the areas that are fading.

Mr. Mattingly responded that will begin in late February/early March.

Councilman Moore thanked Mr. Mattingly for all his work. He suggested the intersection at Laurel/Rosser/Eagle Ridge would be a good spot for the flashing lights like at Mt. Vernon and Carleton because people tend to roll through.

Councilwoman Fruhwirth asked why the bicycle lane on Rosser crosses from one side of the street to the other.

Mr. Mattingly responded that there is a shift from a bike lane to a mixed use lane which creates that.

7. OPEN CALL TO THE PUBLIC

A. Ralph Hess presented a petition to the Council.

8. CONSENT AGENDA

MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.L., EXCLUDING ITEMS 8.F., 8.H. AND 8.L.; SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)

- A. Approval of Meeting Minutes from the January 14, 2025 Study Session and the January 14, 2025 Voting Meeting.
- B. Adoption of Resolution No. 2025-1912 Providing Notice of the August 5, 2025 Primary Election and the November 4, 2025 General Election.
- C. Approval of Appointment of Member to the Community Block Grant (CDBG) Citizens Advisory Committee.
- D. Adoption of Resolution No. 2025-1910 Approving City Contract No. 2025-128 an IGA Between the City of Prescott and Prescott Unified School District for a School Resource Officer for Granite Mountain Middle School.
- E. Approval of City Contract No. 2023-211A4, an Amendment to City Contract 2023-

211 with J. Banicki Construction, for Construction of the Sundog WWTP Septage Station Improvements Project in the Amount of \$173,602.00. Funding is Budgeted & Available in the Wastewater Fund.

- F. Approval of City Contract No. 2023-209A4, an Amendment to City Contract No. 2023-209 with Combs Construction Company Inc. for the Construction of the Downtown Bollard Project in an Amount Not to Exceed \$297,790.00. Funding is Budgeted & Available in the Streets Fund.

This Item was pulled from the Consent Agenda by Mayor Goode for further discussion. He commented on the events in New Orleans where the terrorist drove onto the sidewalk and around the barriers, that is something that he would like to have staff take a look at throughout downtown.

Capital Program Manager Tim Sherwood responded that there are multiple phases in the project and that could be looked at in the future phases.

Councilmember Rusing concurred.

Transportation Manager Ian Mattingly added that staff has discussed resolving how bollards will be stored moving forward, on-street storage with racks or other system to be strategically placed along a sidewalk where they would be installed.

MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CITY CONTRACT NO. 2023-209A4; SECONDED BY COUNCILMAN MOORE: PASSED (7 - 0)

- G. Approval of Purchase Order for the Purchase of Traffic Bollards from Blue Ember Technologies, LLC., in the Total Amount of \$73,520.00. Funding is Budgeted & Available in the Streets Fund.
- H. **FNP24-001** - A Dedication of a Right-of-Way for the Next Phase of Jenna Lane and James Lane Within the Deep Well Ranch Master Plan. Location is West of Willow Creek Road & North of State Route 89A.

This Item was pulled from the Consent Agenda by Councilmember Rusing for additional discussion. She asked for confirmation that the easement would be granted by Deep Well Ranch, followed by them building the road and then the city would assume it. Is there an easement for sidewalk or multi-modal path?

City Engineer Randy Perham addressed the Council and stated that this is just a dedication, at a later date the permits will be issued for building the road and right-of-way. The paths will be included in the tract and not the right-of-way. He added this is in compliance with the preliminary plat.

MOTION BY COUNCILMEMBER RUSING TO APPROVE FNP24-001; SECONDED BY COUNCILWOMAN FRUHWIRTH: PASSED (7 - 0)

- I. Approval of City Contract No. 2025-131 with Balar Equipment for the Purchase of One (1) Titan Vacuum Truck in the Amount of \$755,813.21. Funding is Budgeted & Available in the Wastewater Fund.

- J. Adoption of Resolution No. 2025-1916 Regarding Support of Local Control of Short-Term Rentals.
- K. Approval of City Contract No. 2024-054A5 with Courtesy Chevrolet in the Amount of \$58,811.11 for the Purchase of a 2025 Chevrolet Silverado 1500 Crew Cab 4x4, and Approval to Utilize Funding from the Opioid Settlement Grant Fund to Purchase & Install Emergency Equipment in that Vehicle in the Amount of \$13,314.58 from Northern Arizona Upfitters as Well as Move One (1) Full Time Sergeant Assigned to the Narcotics Task Force from the General Fund to the Opioid Settlement Grant Fund.
- L. Approval of City Contract No. 2025-132 with Server Monkey for Three Years of Nutanix Server Infrastructure Software Support & Maintenance Using Contract OMNIA 01-169 (NCPA 01-169) in an Amount Not to Exceed \$158,326.44. Funding is Budgeted & Available in the IT Department Budget.

This Item was pulled from the Consent Agenda by Mayor Goode for further discussion. He commented that he reviewed the item and the contract is with an aggregator with a number of other companies listed, he expressed concern about the extensive references to DEI in some of the companies and stated that he doesn't want to contract with companies committed to that so he asked for clarification regarding which companies the city will be working with specifically.

IT Director Nate Keegan responded that while there are a bundle of companies listed under Server Monkey the city will be contracting with Nutanix for a specific task. The city is not exercising working with all of those companies, Server Monkey is the umbrella and Nutanix is best of breed for the city's needs.

Mayor Pro Tem Cantelme asked if the city is allowing all the other companies to have access to the city servers.

Mr. Keegan stated they will not.

**MOTION BY COUNCILWOMAN FRUHWIRTH TO APPROVE CITY
CONTRACT NO. 2025-132; SECONDED BY MAYOR PRO TEM CANTELME:
PASSED (6 - 0 - 1) COUNCILMAN MONTOKA ABSTAINING**

9. REGULAR AGENDA

- A. **WSA24-052:** Approval of a Water Service Application Submitted by Ikon.5 Architects on Behalf of Owner Embry Riddle Aeronautical University. Location: APN 106-03-004 Comprising 240 Acres. Requesting 11.33 Acre Feet Per Year. Water Resources & Environmental Services Manager Brian Ruiz provided a presentation to Council regarding WSA24-052 for new student union building at Embry Riddle located on campus off of Willow Creek for 11.33 AF of water. This will replace five existing buildings on campus. Demand analysis for this project, subtracted the estimated demand use for a new building from the five existing building and added in the landscaping for the building. WIS recommended

approval.

Mayor Goode asked if there is any sub-metering on campus. Considering growth and size of campus, being able to monitor the water use on campus should be important for them.

Mr. Ruiz stated that he is not aware of any. He added that staff can speak with them regarding conservation and monitoring as they move forward with these updates on campus.

Councilmember Rusing echoed Mayor Goode's comments, and asked if the master meter will be a smart meter.

Public Works Director Gwen Rowitsch responded that there are two master meters on each end of the campus that feed the campus. When they add new users, the city would see it in the usage through the master meter. All meters in the city will be replaced with the smart meters, these ones are large and will be part of a later phase. Adding submeters at time of construction is generally reasonable but retrofitting in the future can be rather expensive. They have many buildings on the campus some of which are very old and staff is trying to work with them on getting to a better place with water management and future water needs.

Councilwoman Fruhwirth asked about what will be in the new student union.

Applicant & Senior Director of Government and Community Relations Megan Fitzgerald addressed the Council and stated that they are trying to innovate what the students currently have to match what they are seeing in other universities. She doesn't have a list of restaurants that will be in the Student Union, but Prescott residents will be able to use it.

Councilmember Rusing asked if there will be a new gym and showering facility.

Ms. Fitzgerald stated there will not.

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE WSA24-052;
SECONDED BY COUNCILMEMBER RUSING: PASSED (7 - 0)**

- B. Approval of City Contract No. 2023-210A6, an Amendment to City Contract No. 2023-210 with Fann Contracting, Inc. for the Construction of the Eastwood Drive Parking Improvements in an Amount Not to Exceed \$348,614.00. Funding is Budgeted & Available in the Streets Fund.

Capital Program Manager Tim Sherwood provided a presentation to Council regarding issues on Eastwood Drive following a previous capital project in the area. A number of residents on Eastwood expressed concerns regarding adverse results to their property following construction on the street. Staff has been working with the residents to address their concerns and develop a solution, and these plans have been presented for approval. Work will be in city right-of-way but properties will need to be accessed which has been approved by all but one of the property owners who still has a meeting pending addressing their concerns.

Councilmember Rusing expressed her concern that the city should be reimbursed by the contractor's insurance, she asked how long it will take.

Mr. Sherwood responded that the project was done per the plans, these homes were significantly below grade when the project started which adversely affected them. The project should be done by April.

Councilwoman Fruhwirth asked about 505 Eastwood and if the city has engaged with them as well.

Mr. Sherwood responded that staff have not heard from them.

Mayor Pro Tem Cantelme asked if these issues were not on the engineering plan with grades and drainage.

Mr. Sherwood responded that as it was being constructed it was obvious that it would be an issue and staff began speaking with the residents to start working on getting it addressed. The engineer's plan was followed.

MOTION BY COUNCILMAN GAMBOGI TO APPROVE CITY CONTRACT NO. 2023-210A6; SECONDED BY COUNCILMAN MONTOYA: PASSED (7 - 0)

- C. Adoption of Ordinance No. 2025-1881 Approving LDC24-001 a Proposed Amendment to the Land Development Code Affecting Accessory Dwelling Units. Community Development Director Chelsea Walton provided a presentation regarding the proposed LDC update on ADU language. This will be a simpler conversation than the previous presentation in November, additionally, following the last legislative session and upcoming proposals in the current legislative session staff will recommend denial of the proposal.

ADU:

* Accessory dwelling unit means a self-contained living unit that is on the same lot or parcel as a single-family dwelling of greater square footage than the accessory dwelling unit, that includes its own sleeping and sanitation facilities and that may include its own kitchen facilities; can be detached or attached on the same parcel

Issues Presented by State Statute:

* Municipalities may not - prohibit long-term leasing, require additional parking or require street improvements

* Available options - update LDC as presented, update LDC holistically later (the LDC is over twenty years old and could use an overhaul), do nothing

Councilmember Rusing asked about sub-metering of ADUs which was part of this proposal and is allowed even with the other restrictions by the state, she would like to require sub-metering in ADUs as part of the motion.

Ms. Walton responded that ADUs are approved for long-term leasing and sub-metering is not included in current legislative discussions. As discussed, the Council could adopt with modifications but it may be better to make more holistic

changes coming forward later.

Mayor Pro Tem Cantelme added that the state will be making modifications to ADU requirements which is why it makes sense to move to deny these changes. The Council should wait to see what they are going to do so it doesn't have to be amended later. She also asked about a clear definition of a "street".

Ms. Walton responded that it could be part of a list of items that need to be looked at. The new section of the law only applies to populations of 75,000 or greater, but this may be going away and then this section of code would need to be overhauled yet again. Not stopping people that want to get started as of now.

City Attorney Joseph Young confirmed, ADUs can be rented long-term so that alleviates the city code stating that it is not is over ruled. The only thing that it doesn't address is the sub-metering. Street is defined about five different ways under AZ Revised State.

Councilman Gambogi asked for staff's recommendation.

Ms. Walton responded that it would be to deny at this time and then when the state resolves their issue it can be lumped in with a general overhaul of the LDC.

Mayor Goode commented that the sub-metering could be done now and not affected in the future is that correct.

Ms. Walton responded that she isn't sure, the state wants to remove local control over these types of issues and she doesn't know how far they would go. A reference to anything more stringent than what the state allows could be a problem.

Mr. Young concurred, but submeters are not currently disallowed as a requirement but this is unclear and unsettled.

Councilwoman Fruhwirth commented that the state has heard from many municipalities that the way it is written is wrong and they want to make sure that the entire code applies to only communities over 75,000 from top to bottom. She agrees with not touching anything and allowing the state legislature to look at this and see what they can do to address the problems.

Mayor Pro Tem Cantelme asked for clarification that the Council can come back after denying today and address parking and any other concerns once things are settled by the state.

Mr. Young confirmed.

Mayor Goode thinks the sub-metering should be added now.

Motion to adopt with modifications as discussed, adding private sub-meters are required to promote conservation.

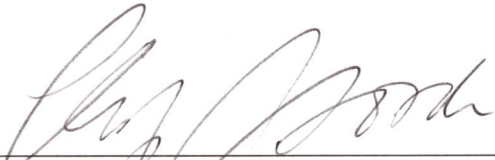
MOTION BY COUNCILMEMBER RUSING TO ADOPT ORDINANCE NO. 2025-1881 WITH MODIFICATIONS AS DISCUSSED ADDING THAT PRIVATE SUB-METERS BE REQUIRED TO PROMOTE CONSERVATION; SECONDED BY MAYOR GOODE: FAILED (3 - 4) COUNCILWOMAN FRUHWIRTH, COUNCILMAN GAMBOGI, COUNCILMAN MONTOYA AND COUNCILMAN MOORE DISSENTING

Council requested that staff return with a draft of an updated Ordinance requiring that all ADUs be sub-metered at the next meeting.

10. ADJOURNMENT

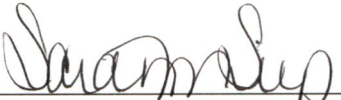
Quote: "We must reject the idea that every time a law's broken, society is guilty rather than the lawbreaker. It is time to restore the American precept that each individual is accountable for his actions." - Ronald Reagan

There being no further business to discuss, Mayor Goode adjourned the meeting at 4:40 p.m.



PHILIP R. GOODE, Mayor

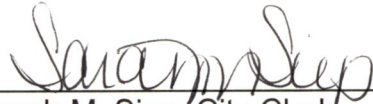
ATTEST:



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 January 28, 2025. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Slep, City Clerk

