



City of Prescott

City Council - Voting Meeting

April 8, 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

Councilwoman Fruhwirth announced that National Library Week is April 6-12. There will be a variety of family fun activities and events throughout the week, so please join us at the Prescott Farmer's Market on April 12, where library staff will be sharing information, issuing new library cards, giving out fun craft projects, and Llama Llama will be handing out free books to kids. For more information about National Library Week, Prescott Public Library's 50th Anniversary events and more, check the library's online events calendar at www.prescottlibrary.info, or call 928.777.1500. She added that the City of Prescott's Forestry Crew will be working around the Constellation Trail and nearby Gateway Trailhead this summer. This grant-funded project will thin vegetation by 50% through a combination of hand work and machine thinning. The crew will carefully remove dead vegetation, to ensure the wildlife habitat remains healthy. No herbicide will be used in the project. Project work is expected to continue through late Fall. Trails will remain mostly open throughout the project, but watch for signs in the work area and stay clear of these areas. Please contact Wildfire Risk Manager Conrad Jackson at 928-777-1700 ext. 7065 for additional information.

Councilwoman Fruhwirth added that with the upcoming elections, the city reminds citizens and candidates for office about local political sign regulations and restrictions regarding campaign materials at city facilities. She stated that residents and business owners have the option of placing political signs on their private property. Arizona state statute allows for the placement of political signs in the city right-of-way except where the City Council has created sign-free zones by resolution. The affected zones can be found on the election landing page of the city website. Outside the sign-free zones, political signs are allowed in the public right-of-way commencing 60 days before a primary election and ending 15 days after the general election. If a candidate in a primary election does not advance to the general election, the period ends fifteen (15) days after the primary election, and finally, circumstances will vary based on the property, so if you have questions, please contact the Neighborhood Services Division at 928-777-1320. In addition to regulations related to political signs, citizens, staff and elected officials are also prohibited from wearing any election-related promotional or campaign materials such as buttons, pins, stickers, etc. on or in any city-owned property, including Council Chambers. Additionally, vehicles with any city election-related bumper stickers or signs should not be parked in the city hall parking lot. If you have any questions, please contact the City Attorney's Office at 928-777-1274. Thanks

to all of our candidates and supporters for their cooperation.

Lastly, Councilwoman Fruhwirth recognized the Prescott Fire Department for being officially awarded accredited status by the Commission on Fire Accreditation International (CFAI) for the second time earning this rigorous and prestigious designation; as well as the Prescott Police Department for being recognized for Excellence in Policy Management & Training for 2024 by Lexipol the nation's leading provider of policy, training and wellness support for public agencies for the fourth time. Congratulations to both of the city's public safety departments.

3. INVOCATION - Pastor Andy Barr Willow Hills Baptist Church

4. PLEDGE OF ALLEGIANCE - Mayor Goode

5. ROLL CALL

Phil Goode - Mayor
Connie Cantelme - Mayor Pro Tem (Excused)
Lois Fruhwirth - Councilwoman
Ted Gambogi - Councilman
Brandon Montoya - Councilman
Eric Moore - Councilman
VACANT SEAT

6. PROCLAMATIONS

A. America 250 - April 11, 2025

Mayor Good presented the Proclamation.

7. PRESENTATIONS

A. Presentation Regarding Appointment-Based Bulk Item Collection

Solid Waste Superintendent Brady Higgs provided a presentation regarding the bulk trash by appointment service that Public Works will begin offering. This is a program for large, non-hazardous bulk items that do not fit in residential garbage containers on the street for pickup. It is one of the most used services by our residents. There are unknown volumes and participation at this time though, so the goal was to improve efficiency so beginning June 2 residents can sign up for this service via appointment.

Program Overview:

- * Schedule Appointment up to 8 weeks in advance
- * Follow guidelines
- * Online registration - name, address, trash day, select date, list what needs to be picked up, set out

Benefits:

- * Year round schedule that meets customers' needs
- * More manageable impacts on staff
- * Reduce and eliminate extended curbside piles of trash

B. Annual Presentation from APS Regarding Fire Mitigation & Prevention

APS Northern Arizona Division Director Frank Sanderson provided a presentation to the Council regarding the organization's current practices for mitigation, including:

- * Vegetation management - comprehensive right-of-way clearance on maintained cycles, defensible space around poles, and hazard tree program
- * Grid hardening investments - ongoing distribution system upgrades, mesh pole wrapping, non-expulsion fuses and steel poles
- * Asset inspection - enhanced line patrols, technology deployments (drone use and infra-red scans)
- * Monitoring and awareness - dedicated team of meteorologists, advanced fire modeling software, cameras and weather stations and federal/state agency partnerships
- * Operational mitigations - non-reclosing strategy, public outreach program, red flag warning protocols and public safety power shutoff (PSPS)

8. OPEN CALL TO THE PUBLIC

A. George Ellis Montoya addressed the Council regarding safety issues related to a lack of sidewalks in the city, especially on Campbell Street where it is dangerous to cross.

B. Lucinda Grant addressed the Council regarding her concerns on the cracks at city hall building.

C. Ralph Hess addressed the Council in support of the diversity, equity and inclusion programs that have been recently come under attack with threats from the President and even at the state and local levels. He read definitions of equity, diversity and inclusion.

9. CONSENT AGENDA

MOTION BY COUNCILMAN GAMBOGI TO APPROVE CONSENT AGENDA ITEMS 9.A. THROUGH 9.G.; SECONDED BY COUNCILMAN MONTOKYA: PASSED (5 - 0)

- A. Approval of Meeting Minutes from the March 25, 2025 Study Session and the March 25, 2025 Voting Meeting.
- B. Adoption of Resolution No. 2025-1920 Setting the Annual Policy for Contracts with City Officials and City Employees for 2025-2026.
- C. Approval of City Contract No. 2025-137 for the Lease of Property at 6599 Crystal Lane (E1 Hangar) at Prescott Regional Airport - Ernest A. Love Field.

- D. Approval of City Contract No. 2025-148 with Honeywell/US Digital Designs (USDD) for Automated Station Alerting Hardware, Software, & Installation of the Phoenix G2 Station Alerting System at All Prescott Fire Stations in an Amount not to Exceed \$449,851.05. Funding is Available in the Fire Department Budget.
- E. Approval of City Contract No. 2024-091C1, a Consent to Assignment of City Contract No. 2024-091 from Rubicon Technologies, Inc., to Wastech Corporation.
- F. Approval of City Contract No. 2025-140 with TransRockies to Host a Gravel Bike Event in the Fall of 2026. Funding is Available Through Transient Occupancy (Bed) Tax Funds.
- G. Approval of City Contract No. 2024-216A2, an Amendment to City Contract No. 2024-216 with Fann Contracting, Inc. for the Construction of Corrective Work on the Solid Waste Scale & Fee Booth Relocation in the Amount of \$313,593.29. Funding is Available in the Streets Fund.

10. LIQUOR LICENSE

- A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Katherine Ann Surpitski, Applicant, for Badger's Den LLC. Location: 1245 White Spar Road.

**MOTION BY MAYOR GOODE TO CLOSE THE PUBLIC HEARING;
SECONDED BY COUNCILWOMAN FRUHWIRTH: PASSED (5 - 0)**

**MOTION BY MAYOR GOODE TO APPROVE ITEM 10.A.; SECONDED BY
COUNCILWOMAN FRUHWIRTH: PASSED (5 - 0)**

11. REGULAR AGENDA

- A. Discussion & Action Regarding the Process for Appointment to Fill a Vacancy on the City Council.

City Clerk Sarah Siep provided a presentation to the Council regarding the proposed timeline for the appointment process. She added that Councilwoman Fruhwirth reached out requesting a few modifications to the process timeline proposed so she can fully participate even with pre-planned travel. Staff is open to any potential modifications to the timeline and just need direction from the Council.

Councilman Moore stated that he is in favor of adjusting the dates, but added that he would not be available on May 16, and requested a different alternative date.

Ms. Siep stated that the date could be changed and proposed a few options which Council discussed.

Councilwoman Fruhwirth commented that she would be happy to review the applications before she goes out of the country and can provide feedback for Ms. Siep to share with Council during the Executive Session when applications are reviewed on May 13.

Ms. Siep responded that a proposed timeline would be as follows:

- April 9 – Open Application Filling Period (April 9 – April 23)
- May 13 – Executive Session to Review Submitted Applications & Select Finalists to Interview
- May 20 – Special Meeting to Conduct Interviews & Select Appointee and Swear In
- May 27 – First day of meetings for new member

MOTION BY COUNCILMAN MOORE TO APPROVE PROCESS AND REVISED TIMELINE PROPOSED BY STAFF; SECONDED BY COUNCILMAN MONTOYA: PASSED (5 - 0)

- B. Discussion & Action Regarding Appointment of a Replacement Member for the Council Subcommittee on Water Issues.

City Clerk Sarah Siep reviewed the information provided to Council and reiterated that this appointment will go through the end of November 2025 for the Council Subcommittee on Water Issues.

MOTION BY MAYOR GOODE TO APPOINT HIMSELF TO THE COUNCIL SUBCOMMITTEE ON WATER ISSUES; SECONDED BY COUNCILMAN MOORE: PASSED (4 - 0 - 1) COUNCILMAN GAMBOGI ABSTAINING

- C. Adoption of Ordinance No. 2025-1880 Authorizing the Water Infrastructure Financing Authority of Arizona (WIFA) Drinking Water Loan in the Amount of \$11 Million for the Zone 41 Mingus Water Pump Station, Tank & Pipeline Project.

Finance Director Mark Woodfill provided a presentation to the Council regarding the WIFA loan which staff applied for last year. The emergency clause is to begin the reimbursement process.

MOTION BY COUNCILWOMAN FRUHWIRTH TO ADOPT ORDINANCE NO. 2025-1880; SECONDED BY COUNCILMAN MONTOYA: PASSED (5 - 0)

- D. Adoption of Resolution No. 2025-1921 (GPA24-001) & Ordinance No. 2025-1891 (REZ24-003) A Request for a Rezoning from SF-9 (Single Family) to MF-H (Multi Family - High Density) and a Minor General Plan Amendment from Low-Medium Residential to Medium-High Residential on a Total of 0.6 Acres with an Overall Project Area of 3.279 Acres, for a Proposed 106 Unit Apartment Complex. Location: APN 109-13-002E, G and J, 500 Marina Street. Owner: YH Development Properties LLC. Applicant: Michael Taylor Architects Inc.

Community Planner Tammy Dewitt provided a presentation to Council regarding the requested rezoning of 0.6 acres of a 3.279 acre project area. Current zoning is SF-9 and proposed is Multi-family high density which matches surrounding

zoning. This is an infill development project and requires a minor plan amendment.

Past Uses of the Building:

- * Children's Hospital
- * Mental Hospital
- * Yavapai County Development Services
- * Vacant since September 2012

Proposing that 27 of the units be considered "senior" to reduce parking by twenty-seven spaces.

Issues for Consideration:

- * Consistency with the Prescott General Plan and other adopted plans
- * Compatibility with the present zoning and conforming uses of nearby property and with the character of the neighborhood
- * Suitability of the subject property for uses permitted by the proposed zoning district
- * Suitability of the subject property for the uses permitted by the existing district
- * Availability of sewer, water and stormwater facilities
- * Code compliance - staff from various departments have reviewed the conceptual project and found that it appears to meet City Code requirements. These are preliminary determinations based upon the limited information available at this time. If the rezoning is approved, much more detailed plans will be required and a more detailed examination by staff will occur
- * Property is bound by residential and office type uses, compatibility is achieved because of the diverse uses in the area and being located close to downtown

Concerns by Neighbors:

- * Senior parking proposed for 27 2-bedroom units
- * Utility capacity
- * Traffic impact analysis

Mayor Goode asked if the Planning & Zoning Commission (P&Z) reviewed the original proposal.

Ms. Dewitt confirmed, and stated that P&Z reviewed and approved the 90-unit proposal 4-0. However, when the proposal was amended to 106-units P&Z denied 2-4.

Councilman Moore asked if the Council chose not to approve the rezoning would it be possible to have that area used for parking for the units and expressed his concern regarding there not being enough parking in the proposed site plan.

Ms. Dewitt confirmed, the concern is that it is two bedroom units and not many senior couples would be likely to have two cars. Broadly, jurisdictions are having this become an issue that the city has to handle.

Developer Marc Van Wormer addressed the Council regarding the senior units and parking alternative which was used at another development of his off of Iron

Springs Road. He added that they are a local group and all Prescott natives, they want to accommodate attainable housing options in the community and in order to build the best project possible the additional units were necessary bringing the total to 106-units. There will be significant sales tax revenue from this project which would also be beneficial. He stated that this proposal would have to meet all code and standards for the city and reviewed the proposed development, and renderings.

Councilman Montoya asked Mr. Van Wormer to discuss the makeup of the units and their costs.

Mr. Van Wormer responded that the \$1,750/month unit would be a one-bedroom unit with approximately 850 sq feet, the two-bedroom unit would be approximately \$2,100/month. The development will have open space and a dog park area, and will likely have \$1,650/month and \$1,800/month units as well.

Councilwoman Fruhwirth commented that there could potentially be a few more parking spaces squeezed in and asked if the developer would be open to that. Availability or lack of parking is her primary concern.

Mr. Van Wormer responded that it would be possible, but they are trying not to crowd the space too much.

Councilman Moore commented that he doesn't consider medians in a parking lot as open space, it should be undisturbed natural spaces.

Mayor Goode asked Mr. Van Wormer to discuss why the number of units was changed after approval by P&Z.

Architect Dave Beck responded that after getting costing back on this project, they realized that it simply wasn't feasible to do the 90-unit project. He added that with the central nature to downtown, the project could meet the need of providing housing for sheriffs, teachers etc.

Mr. Van Wormer continued with a review of multi-family versus single family as it relates to affordability and sustainability in the community. Currently, businesses cannot attract new employees because of the lack of attainable housing, which leads to major inflation and lack of availability of all services. This model and cycle is not sustainable for a healthy community. He also reviewed a letter from Lieutenant Corey Kasun regarding Police Department calls to the existing building which reflects a disturbance call every 43 days.

Councilman Gambogi reiterated that a project like this would also significantly help with traffic in the city.

P&Z Chair Don Michelman and Commissioner Tom Reilley addressed the Council regarding the project and the votes by the Commission at their meeting. Chair Michelman stated that he voted against the proposal because of the three-story units, which would be uncharacteristic to the neighborhood, and he was also concerned about the number of vehicles. Commissioner Reilley commented

that this is a zoning mistake in the area historically. He added that there were always three-story buildings proposed in the project. He feels this is a good project and is in favor of it.

Mayor Goode commented that he understands the high cost of construction materials, and the financial impacts of this type of project. He asked if the parking could be modified to accommodate more.

Mr. Van Wormer responded that they will look at the options to ensure that it has the most optimal amount of parking. He added that there is no street or off-site parking.

Member of the public Donald Swetlik addressed the Council regarding his support of apartments on this parcel, but his concern is that the senior units don't meet the federal hurdle for the number of senior units which would be a problem for parking.

City Attorney Joseph Young stated that the federal requirement only requires that it be 80% or more for grants and awards, etc. They can by law have less because it is not a senior housing project. He added that this is not the last step for the project as it relates to parking and approvals.

Member of the public Jeffrey Wayne Bailey addressed the Council and read a letter from Veronica Grace who owns two single-family homes at the end of Marina Street. She supports the project within the current zoning and general plan. She is opposed to a zoning change. She is also concerned about parking being insufficient and having non-compliant driveways.

Member of the public Alan Sargeant addressed the Council as President of the HOA to the south of this proposed development. They are opposed to the infill project. Neighborhood compatibility is encouraged in the general plan. This is not that and the developer has refused to meet individually with the neighbors.

Member of the public Charles Thomas addressed the Council and stated this project is not too high for individuals with roommates, but then there is no adequate parking for the vehicles of the renters in the apartments.

Member of the public Alvin Berke addressed the Council regarding his support of a development on that parcel, but the developer promised that the buildings would only be two-story. He commented that these types of proposals will add more traffic, noise and congestion.

Member of the public Alisa Cool addressed the Council regarding issues with people who work in this community not being able live here. Need more housing options in the city.

Member of the public Paul Landis addressed the Council regarding the ongoing housing needs assessment, and asked why the Council would be considering this project before that happens. There are 1100 apartments in the planning stage, and the Council is not paying attention to the right part of the market.

Member of the public Penny Neu addressed the Council as a 30-year resident of this area. She has seen a lot of development in this neighborhood at that time, and she feels like she is being pushed out. Wants growth elsewhere and not in her neighborhood.

Member of the public Gary Arnold addressed the Council regarding his confusion about whether the project is workforce or senior housing. He agrees with Planning & Zoning on their decision to deny. He feels the senior parking is a gimmick.

Member of the public Sandy Griffis addressed the Council in support of this project. There are many senior citizens that have been here for decades and are undergoing lifestyle changes that require them to have a new place to live and not have to go into a retirement home. This provides a good option for that, as it does for workforce who could go out and purchase a home but don't have the means for a down payment. Encouraged the council to seriously consider this badly-needed project.

Member of the public Nancy Beetz addressed the Council regarding the negative impacts of inadequate parking, as well as her opinion that the rent discussed for this development would be much higher than surrounding apartments.

Member of the public Rita Bagley addressed the Council in opposition to the proposed project and rezoning. There are inconsistencies in decision-making by city staff. This would seriously impact the area.

Member of the public Joe Bagley addressed the Council in opposition to this project. This project would cause an increase in traffic and noise, and the surrounding neighbors have been speaking out against this project for over a year. He encouraged the Council to consider purchasing the property through eminent domain and adding a new police facility and school, etc.

Member of the public Bill Feldmeier addressed the Council as a 45-year resident of the neighborhood where the project is proposed. As he listens to people talk today, he feels they are missing some things. It is only three lots that are not zoned multi-family. Doing so would bring those into the same zoning. Summit Point doesn't even enter their neighborhood through this area, they just walk there. This is needed and would be a huge improvement to what is currently there.

Councilman Gambogi asked about Commissioner Reilley's comments on this being an error in zoning.

Ms. Dewitt responded that these three parcels are an outlier. It was a parking lot for the county building, so she doesn't know why it wasn't ever changed, but doing so now would make it uniform with every other surrounding parcel.

Councilman Moore commented that he feels Planning & Zoning had the luxury of reviewing this several times, and he doesn't feel like this project is finalized. He

feels all the ducks should be in a row before the Council makes a decision on the project.

Councilman Montoya stated that his first apartment in 2004 was \$500/month, and that doesn't exist anymore, and this community is running out of places to say no and that worries him. He wants his children to live here in the future, and the more we say no, the less likely that will be. The more we say no the less likely we'll be able to attract medical and healthcare here and that is a problem. He's open to the idea of tabling, so the parking can be more adequately addressed, but they have by right zoning to do this right now, except for the three parcels that are miss zoned. We are not doing our community a service by saying no over and over again.

Councilwoman Fruhwirth echoed comments that this zoning should be corrected, they could do 90-units by right. She is worried by the number of senior units and the limited parking so that is something she would like to mulover more.

Councilman Gambogi stated that he is prepared to vote in favor of this today. If the Council wants to postpone, they need to be clear about what they would want to see at the next meeting.

Councilman Moore commented that he doesn't have an issue with the zoning change.

Mr. Young responded that this motion is approving zoning, they are not approving the parking or final approval. This is not an approval of the specific complex, but it establishes their right to do 106-units.

Mayor Goode stated that a 90-unit development would be approvable because it would be zoning by right, but feels that the traffic for the units wouldn't be acceptable for the neighborhood. If the applicant wants to come back with a proposal for 90 with adequate parking, he could support that but approving the rezoning without adequate parking he isn't comfortable with.

Councilman Moore echoed concerns and stated that he is okay with two-stories in that location as well as the zoning change.

Ms. Dewitt reviewed the motions: the Resolution approves the minor map amendment, and the Ordinance approves the rezoning. Organizationally the Resolution needs to be adopted first.

Councilman Montoya asked for confirmation of whether they could go between two and three stories. He added that the single biggest problem for him is parking, and asked if that is administrative.

Ms. Dewitt confirmed; she added that parking is administratively approved by the Community Development Director.

Community Development Director Chelsea Walton responded that the process is laid out in the Land Development Code Section 6 which is an alternate parking

plan. Staff would work with the developer to ensure that the criteria is met through submittals.

Mr. Van Wormer added that there is space to accommodate additional parking, and the detention space for the 100-year event could be placed underground on the east side of Marina Street. They could put that together and return to Council.

Councilwoman Fruhwirth commented that understanding the units on Iron Springs is precedent and she would like to see if staff could apply that to this proposal and share that with Council.

Ms. Dewitt responded that staff could pull the site plan and see what was approved.

MOTION BY MAYOR GOODE TO TABLE ADOPTION OF RESOLUTION NO. 2025-1921 & ORDINANCE NO. 2025-1891 TO MAY 13, 2025; SECONDED BY COUNCILMAN MONTOYA: PASSED (5 - 0)

- E. **WSA25-009:** A Water Service Application for 13.24 Acre-feet Per Year Submitted by Michael Taylor Architects, on Behalf of Owner YH Development Properties, LLC. Location: APN 109-13-001D, 500 S Marina St., 8 Parcels Comprising 3.5 Acres.

MOTION BY COUNCILMAN MONTOYA TO TABLE APPROVAL OF WSA25-009 TO MAY 13, 2025; SECONDED BY MAYOR GOODE: PASSED (5 - 0)

12. COUNCIL LIAISON BCC UPDATES

City Clerk Sarah Siep reiterated that today would be the final meeting to take place in the current Council Chambers. Beginning Tuesday, May 13 Council and all BCC Meetings held in Chambers will take place in the new 1st Floor Council Chambers. Between now and then, the Council is taking a break. However, a number of BCCs will be meeting at alternative locations as follows:

April 14th 9 AM – Pedestrian, Bicycle & Traffic Advisory Committee @ Prescott Public Library - Founders Suite

April 15th 2 PM – Airport Advisory Committee @ Airport Old Terminal Building

April 23rd 1:30 PM – CDBG Citizens Advisory Committee @ City Hall 3rd Floor Conference Room

April 30th 11 AM – Tourism Advisory Committee @ City Hall Executive Conference Room, 2nd Floor

May 7th 9 AM – Mayor's Veterans Commission @ Grace Sparks Activity Center

May 12th 9 AM – Pedestrian, Bicycle & Traffic Advisory Committee @ Prescott Public Library - Founders Suite

13. ADJOURNMENT

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

There being no further business to discuss, Mayor Goode adjourned the meeting at 6:27 p.m.



PHILIP R. GOODE, Mayor

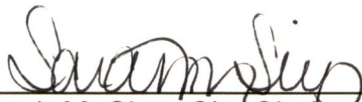
ATTEST:



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 April 8, 2025. I further certify the meeting was duly called and held and that a quorum was present.



Sarah M. Slep, City Clerk

