City of Prescott
City Council - Voting Meeting

December 9, 2025 | 3:00 PM
201 N Montezuma Street
City Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Mayor Rusing called the meeting to order at 3:03 p.m.

2. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Fruhwirth welcomed everyone to the meeting and discussed the many upcoming Christmas City Events in Prescott over the next month. She also welcome Tricia Lewis the city's new Economic Development Manager and congratulated Lars Johnson the city's newly appointed Finance Director.

3. INVOCATION - Rabbi Elie Filler Chabad of Prescott

4. PLEDGE OF ALLEGIANCE - Mayor Rusing

5. ROLL CALL

Cathey Rusing - Mayor
Lois Fruhwirth - Mayor Pro Tem
Mary Frederickson - Councilwoman
Ted Gambogi - Councilman
Jim Garing - Councilman
Patrick Grady - Councilman
Jay Ruby - Councilman

6. PRESENTATIONS

A. Presentation from Consultants State48 Regarding a Legislative Update

Lobbyists Alexis Susdorf and Nick Ponder with State48 Public Affairs provided a presentation to the Council regarding legislative updates and an upcoming legislative outlook.

<u>2025 Session Successes:</u>
* $3.5 million for Prescott Airport Fire Service Ramp
* $15.3 million for Prescott Rodeo Infrastructure to city
* Defeated SB1229 - state-level prohibition on city planning and development decisions
* HB2928 - ADU population cleanup legislation passed and signed
* HCR2021 - food tax prohibition amended

Key Dates & Deadlines:
* Monday, Jan. 12 - first day of session
* Friday, Feb. 20 - last day for bills in chamber of original committees (except appropriations)
* Friday, March 27 - last day for bills in opposite chamber committee (except appropriations)
* Tuesday, April 21 - 100th day of session

Mr. Ponder continued with an overview of legislative leadership in the House & Senate. There are slight Republican Party majorities in both at this time, but he did review the key potential leadership changes.

Legislative Groundswell:
* Local permitting/zoning pre-emptions
* Water - Colorado River and Rural Groundwater
* Short term rental fights
* Affordable housing
* Food tax again
* Budget cuts and shortfalls - impacts to state shared revenue
* Wildfire mitigation and insurance premiums
* Prescott submitted league proposals - TIF and mid-year budget adjustments

Session Considerations:
* Short session or long
* Will the inter-party infighting continue
* Will high number of governor vetoes continue during an election year
* Does less money mean an easier or more difficult budget to pass

2026 Legislative Advocacy & Actions:
* Prescott day at the capitol
* Leveraging Mayor and Council legislative relationships on bills/budget priorities
* Weekly legislative report/update
* Prescott site tour
* Others

7. OPEN CALL TO THE PUBLIC

A. Deborah Cook addressed the Council as a resident in the Bradshaw Senior Community and shared some ideas regarding potential grant opportunities for the community because rents are continuing to increase sometimes by a significant amount. She also discussed social security increases being low over the past several years.

B. Katherine Lucy Litke addressed the Council as a resident of the Bradshaw Senior Community and discussed the Housing Needs Assessment, she stated that it was directed at the workforce, but seniors are facing issues as well. Waits for senior subsidized housing options in Prescott is reaching the five year mark.

C. Chalres Thomas addressed the Council submitting a citizen petition regarding Oct. 28 Council action on the consent agenda to abandon the south end of marina street in what he feels is a violation of the City Charter as it was not done by Ordinance.

D. Sundrop Corter addressed the Council regarding the times of Council Meetings and accessibility to those working. Only 33% of the residents are over 65, people are working and unable to participate and have their voices heard and cannot run for City Council. Every incorporated city in Yavapai County except for Prescott and Sedona have their meetings in the evening.

E. Sue Manuel addressed the Council regarding the Rodeo Grounds lease agreement and concerns that it is in violation of the state statute which is meant to protect the community against gifting. She asked that the lease be re-negotiated to establish a legally compliant lease agreement.

F. Kymberli Lopez addressed the Council as President of Prescott Frontier Days regarding them recently being awarded the Sewing Good Deeds Award (things that the community supports and celebrates the contributions made by the rodeo to the community) out of 750 rodeos at the recent Rodeo conference in Nevada. This is an important recognition that the Rodeo cares about the Prescott community and hopes to build strong relationships in continuing to serve the community. Won a $70k tractor to help with maintenance of the grounds.

G. Michael Alderete addressed the Council regarding the Women's Pro Rodeo Association Pro Footing Award; this puts the city and PFD on the map.

H. Ken Fidyk addressed the Council regarding the Study Session discussion and commented that legislative changes like HB2447 should only apply over 75,000.

8. CONSENT AGENDA

MOTION BY MAYOR RUSING TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.I., EXCLUDING ITEMS 8.B., 8.D. AND 8.H.; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (6 - 0) COUNCILMAN GAMBOGI WAS ABSENT DURING THE VOTE

A. Approval of Meeting Minutes from the November 18, 2025 Study Session, and the November 18, 2025 Voting Meeting.

B. Action Regarding a Citizen Petition Received by the Council at the November 18, 2025 Voting Meeting and Submitted by Ralph Hess.

Mayor Rusing pulled this Item from the Consent Agenda for further discussion.

City Clerk Sarah Thornhill provided feedback regarding the process included in the Council Rules of Procedure for petitions being placed on the Consent Agenda. This change was made after eight petitions were received, some receiving extensive staff time before any action was taken by the Council. The determination was that it only takes one member of the Council to pull something from Consent for further discussion and then a motion and/or direction to staff, so this process would allow the item to be pulled and then worked on at the direction of the Council if they feel it is appropriate to do so.

Councilman Ruby commented that there should be clear ways to have dialogue with the public. The open call is good but doesn't allow for dialogue with the Council. Thinks it is important to have a specific threshold for petitions.

Ms. Thornhill stated that it would be best to put something like a specific number of supporting signatures into the Charter, however, an adjustment to the way the process is done at a meeting could be revised in the Rules of Procedure if the Council desires to do so.

City Attorney Joseph Young confirmed, he added that a requirement for a certain number of signatures otherwise the petition would be placed on Consent would also be an option.

Councilman Grady asked about the dates of the petitions filed and the amount of time spent on these.

City Manager Dallin Kimble responded that it varies depending upon the petition, and it can range significantly. The point of spending time analyzing any action is that it is preferred to have direction from the Council as to what the direction they would like to go is.

Mayor Rusing added that if it is pulled from the Consent Agenda, the Council can proceed with it in the way they would like.

Ms. Thornhill confirmed.

Councilwoman Frederickson stated that the burden of getting signatures for their petition might be a fraught and a dangerous road to go down, when they would just need to convince one Councilmember to pull from the consent agenda.

Mayor Pro Tem Fruhwirth echoed Councilwoman Frederickson's comments. This is the first time the Council has come up with a five-year strategic plan which has been given to staff to work on, which is a new process.

Member of the public Truly Bracken addressed the Council regarding the unusual approach that it's an automatic denial, which is part of the issue from Mr. Hess as the petitioner. Citizens have been invited to participate in processes where the Council is making decisions and this is the way to do that.

Member of the public Bonnie McMinn addressed the Council and stated that she was honored to serve on the Charter Committee and referred 13 amendments, one of which extended the period to act on a citizen petition, so the process could be meaningful and deliberate. Yet now the petition is automatically placed on the Consent Agenda for denial, which makes the Charter provision meaningless. Council should direct staff to review the petition during the 60-days in the approach because this process works, it is one of the few tools citizens have to participate in government.

Councilman Grady added that he has heard it isn't so much that the 60-day period is the problem, it is the message that has been put out, and feels staff needs to take time to look at language that would make it more meaningful.

Mayor Rusing commented that it was never the intention, 60-day period is best spent on a petition that looks like it will be successful and this is a way to vet that.

MOTION BY MAYOR RUSING TO DENY ITEM 8.B.; SECONDED BY COUNCILMEMBER RUBY: PASSED (5 - 2) COUNCILMAN GAMBOGI AND COUNCILMAN GRADY DISSENTING

C. Approval of City Contract No. 2026-143 with the Yavapai-Prescott Indian Tribe for Distribution of Annual Gaming Funds to Local Non-Profits.

D. Approval of the 2026 City of Prescott's Legislative Platform & Authorization for Staff to Transmit the Document to State and Federal Representatives.

Councilman Grady pulled this Item for further discussion; he stated that he is in full support of this platform. A great deal of effort was put into this, and he applauded staff and members of the Council for putting this together. Also, he felt that a brief overview from the City Manager would also be appropriate.

City Manager Dallin Kimble responded and stated that the platform serves to be a proactive statement to the legislature to highlight what is important to Prescott. Also, sometimes there are narrow windows to speak on bills, so this provides direction to ensure that Prescott is heard. The platform is directly aligned with the Strategic Plan. The document will live in this agenda packet and on the city website under the City Manager's section.

Mayor Rusing highlighted that a formal legislative platform is new for the City of Prescott and that is wonderful.

MOTION BY COUNCILMAN GRADY TO APPROVE ITEM 8.D.; SECONDED BY MAYOR RUSING: PASSED (7 - 0)

E. Approval of City Contract No. 2025-156A1, an Amendment to City Contract No. 2025-156 with Logan Simpson Design for Archaeological Phase II Data Recovery for the Willow Creek Gravity Sewer Project in the Amount of $241,406.00. Funding is Available in the Wastewater Fund.

F. Approval of City Contract No. 2026-133 with Ready Rebound for Public Safety Workers Compensation Injury Benefits. Funding is Budgeted & Available through Prop478 Funds.

G. Approval of City Contract No. 2026-155 with Swept Away, Inc. for Ongoing Downtown Beautification. Funding is Budgeted & Available Through Transient Occupancy (Bed) Tax Funds and in the Streets Fund.

H. Approval of Four (4) Facilities Job Order Contracting (JOC) Contracts for Vertical Construction- 1) City Contract No. 2026-147 with Core Construction; 2) City Contract No. 2026-148 with Kinney Construction Services, Inc.; 3) City Contract

No. 2026-149 with Ridgeline Builders, LLC.; 4) City Contract No. 2026-150 with Willmeng Construction, Inc. Funding is Budgeted & Available in the Facilities and Various Funds.

Councilwoman Frederickson pulled the Item for further discussion. She stated that she was able to speak with staff prior to the meeting to clear up a few things. However, she is concerned that when the projects come up, a contract would just be awarded, she would like to see something codified that competitive bids will be sought.

Deputy Recreation Services Director Tim Legler responded and stated that JOCs allow the city to go out to RSOQ and then award contracts without having to do the usual 12–16 week process timeline. Contractors are selected from the lists based on their qualifications. This is commonly done in jurisdictions.

City Attorney Joseph Young added that this is permitted within statute, and would the city approach the contract on the JOC and get them to bid.

Mayor Rusing added that these are all known contractors.

MOTION BY MAYOR PRO TEM FRUHWIRTH TO APPROVE ITEM 8.H.; SECONDED BY MAYOR RUSING: PASSED (6 - 1) COUNCILWOMAN FREDERICKSON DISSENTING

I. Approval of Multiple Contracts Related to Design Services Associated with the Development of an Aircraft Rescue and Fire Fighting (ARFF), Operations, Maintenance & Snow Removal (SRE) Building at Prescott Regional Airport - Ernest A.Love Field as Follows: 1) City Contract No. 2024-066A2, an Amendment to City Contract No. 2024-066 with Dibble Adding $142,948.00 to FY26; and 2) Approval of an Amendment to Task Order 17 to City Contract No. 2024-066 with Dibble in an Amount not to Exceed $840,640.00. Funding is Available Through ADOT Grant Funds.

9. LIQUOR LICENSE

A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Barry Lee Barbe, Applicant, for Shirley's Urban Eats. Location: 623 Miller Valley Road.

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

MOTION BY COUNCILMAN GAMBOGI TO APPROVE ITE. 9.A.; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (7 - 0)

Mayor Rusing called a brief recess at 5:04 p.m.

10. REGULAR AGENDA

A. Discussion & Possible Action Regarding Approval of Dissolution of the General Plan Review Committee, Rescinding Resolution No. 2022-1835 and Next Steps

in the General Plan Process.
The meeting reconvened at 5:15 p.m.

City Clerk Sarah Thornhill introduced the item and opened the floor to Council discussion regarding next steps in the General Plan review process.

Mayor Rusing thanked the staff and participants from the General Plan Committee who worked over the course of several years to put together a comprehensive plan that was ultimately not approved by the Council. She recommended that the Council form a Subcommittee to work with a Consultant to work on the General Plan in compliance with the state statutes. They would be able to build on the 2015 general plan to come up with a document for the November 2026 General Election ballot.

Ms. Thornhill discussed the timeline for elections and stated that when specifically looking at the November 2026 General that deadline for ballot language approval would be June 23, 2026 Council meeting.

Community Development Director Chelsea Walton discussed the 12-16 week process to find a consultant, then the engagement of the consultant before beginning the project kick-off which is an approximately 30-day process which would take into March or April. She doesn't think it is feasible to have a product for review and Council's approval by the June 23rd deadline. She added that it could be placed on any regularly scheduled municipal election and does not have to be on the Regular November agenda. The multiple meetings of P&Z, plus public comment and then Council's approval would be a really difficult timeline.

Councilman Gambogi stated that this proposal feels too fast, it is important to review the General Plan and the work that went into it. Used to be primarily a land use planning document but there is a lot more to it than that. This is the work of 11 Committee members, city staff and many citizens to put forward a draft General Plan. That plan was overturned by two members of the Council that are not even on the Council anymore. He proposed a vote on the March 5 version of the General Plan and not spending taxpayer money on a consultant.

Councilman Ruby stated that a lot of work went into the General Plan and there are experts in this community that dedicated their time to the plan and want to know that their involvement was valued. He thinks it's important to look at the plan constructed by the Committee, staff and citizens.

Councilman Grady stated that he was largely engaged in the General Plan process, he doesn't feel a consultant would be that helpful and doesn't think the Plan should be delayed further. He does like the idea of a Council Subcommittee to review and work on presenting something to the full Council. Additionally, he added that Camp Verde has a draft plan at 177 going to their voters while the city's was only 150 or less.

General Plan Committee Chair Terry Sapio addressed the Council and stated that it was large to begin with, but eventually the document was whittled down to

116 pages as a final result. He thanked everyone that worked on the plan over the 2.5 years it was worked on.

Mayor Rusing clarified that hiring a consultant will be a catalyst to move this process forward in a more objective way using the 2015 and 2025 draft plan. Wants to get something that will be passed by the voters.

Councilman Gambogi added that the General Plan is not legally binding, the state requires it and Prescott sends it to them based on that requirement. Couldn't recollect any initiative that came out of the 2015 General Plan. It serves to show what the City of Prescott is looking for so developers know what to focus on, he doesn't feel that the Council should reject the work of the Boards and Commissions.

Councilman Ruby commented that so much work has gone into this guiding document, and it seems absurd to move it to consultants. Overall, this is a PR problem, if the Council gets behind it the voters can pass it.

Mayor Rusing commented that the proposed General Plan was very pro-growth and expanded the city's boundaries by over 12 miles.

Mayor Pro Tem Fruhwirth commented that there are two versions of the proposed 2025 Plan that could be built upon. She disagreed that the document is not legally binding, and it needs to be taken seriously, and she plans to do that, which was always her concern with the March plan. She doesn't think it's possible to get it done by November 2026, but she is in favor of a consultant and for a revised effort on getting this forward.

Councilman Grady discussed other jurisdictions General Plans, including Camp Verde and Sierra Vista, which was not approved by voters. The page count doesn't necessarily matter, but having something like an executive summary that can help people to understand it could be important. Supports a Council Subcommittee as a review body.

Councilwoman Frederickson stated that she was happy the Council took the large document originally presented and whittled it down. The Council has a different goal and perspectives than the BCC members, so it is important that they review and adjust where necessary. Feels it should be bare bones.

Councilman Ruby asked if the dissolution of the Committee deletes the items or if it would impact future General Plans.

Mr. Young stated that the seated Council at the time determines how the General Plan process will go, what happens to the documents will also be up to the Council.

Member of the public Greg Murray addressed the Council and stated that he feels the March 5 version of the General Plan was good and a result of much hard work. He advocates resurrecting that document now and moving that forward. None of the sections included at that time were inappropriate for a community of Prescott's size. Prescott Valley's current General Plan is 225 pages. It should be detailed because they are aspirational.

Member of the public Robert Shegog addressed the Council in favor of the March General Plan. He discussed respecting the people that put in years and hundreds of hours to bring a plan forward. Respect goes both ways.

Member of the public Charlene Huffman addressed the Council regarding the diversity and history in Prescott and the community is richer for it. She supports the approval of the March version of the General Plan. The community was in overall support of this plan.

Member of the public Cynthia Wagner addressed the Council in favor of the March version of the General Plan rather than expending more time, money and resources. She echoed Councilman Ruby and Councilman Gambogi's comments.

Member of the public Linda Goldinger addressed the Council in support of an Executive Summary, ensuring state statutes are followed. She thinks this is a good discussion and this needs to be moved forward, but she hates to spend the money on a consultant when so much has already gone into this process, but regardless, does not feel the 2015 plan should be used as a base model for this.

Member of the public James Helbling addressed the Council in favor of the March version of the General Plan. The MLK Committee has been involved in this process for over two years now and this is the fifteenth time he has spoken about this topic, which was approved 6-1 by the Council already. He feels strongly that the efforts which were put forward by the General Plan Committee should be honored by sending that version to the voters.

Member of the public Christi Towner addressed the Council regarding the input of everyone who spoke in favor of the March General Plan being considered. Prescott could use a bit more transit for older citizens and that should be considered in the General Plan.

Member of the public Maria Lynam addressed the Council as a longtime resident of Prescott. She supports the General Plan as written and the General Plan did an admirable job. However, if the Council determines to hire a consultant, the March plan should be used as the template and she would like it expedited to the November 2026 General Election.

Member of the public Marion Pack addressed the Council in support of the March 2025 version of the General Plan. To start all over again seems like a waste of time and money.

Member of the public Terry Sapio echoed comments to begin with the March 2025 plan and have a Subcommittee to review it. Also recommended that Councilwoman Frederickson be part of that Sub Committee.

Mayor Rusing asked if anyone is in support of hiring a consultant.

Councilman Gambogi stated that he wanted to make a motion to approve the March 2025 version of the General Plan, Councilman Ruby expressed his support to second that.

Mr. Young stated that the Council would not be able to do that today because there are noticing requirements when it comes to General Plans, however, they could move to approve it at a future meeting.

Mayor Pro Tem Fruhwirth expressed her concern that the city would fall out of grace with the FAA because of the use of the word "gender" rather than "sex", that was changed and then it failed again.

Mayor Rusing stated that the March version did not have a circulation map and was pro-growth, expanding the city boundary significantly, so she would like those things fixed.

Councilwoman Frederickson asked for clarification that the vote is to bring forward the March 2025 version of the General Plan for a vote at the January 13 Voting Meeting.

Ms. Walton stated that she is hearing the Council would like to see the future land use maps included in the January discussion, and added that she would need specific direction for what the Council would like to see on January 13.

Councilwoman Frederickson stated that she isn't comfortable with this vote if it would limit discussion at the January meeting.

Mr. Young and Ms. Thornhill clarified that the motion would bring forward the March 2025 version, but the Council would not be limited to discussion regarding that plan or revisions and could provide direction to staff at that time.

MOTION BY COUNCILMAN GAMBOGI TO BRING FORWARD AT THE JANUARY 13, 2026 MEETING THE MARCH 2025 VERSION OF THE GENERAL PLAN FOR POSSIBLE VOTE BY THE COUNCIL; SECONDED BY COUNCILMAN RUBY: PASSED (4 - 3) MAYOR RUSING, MAYOR PRO TEM FRUHWIRTH AND COUNCILWOMAN FREDERICKSON DISSENTING

MAYOR RUSING MOVED TO HIRE A CONSULTANT TO WORK ON THE GENERAL PLAN; SECONDED BY COUNCILMAN GARING: PASSED (6 - 1) COUNCILMAN GAMBOGI DISSENTING

MAYOR RUSING MOVED TO RESCIND RESOLUTION NO. 2022-1835 AND DISSOLVE THE GENERAL PLAN REVIEW COMMITTEE AND DIRECTED THE CITY CLERK TO DRAFT A RESOLUTION TO CREATE A COUNCIL SUBCOMMITTEE FOR GENERAL PLAN REVIEW: SECONDED BY COUNCILMAN GARING: PASSED (6 - 1) COUNCILMAN GAMBOGI DISSENTING

Ms. Walton asked for clarification that Council will provide feedback to staff regarding how to work with the consultant on the General Plan.

Mayor Pro Tem Fruhwirth asked for the June version of the map for the January meeting as well.

Ms. Walton stated that it will be provided in the agenda packet materials with the distinction of the maps.

B. **LDC25-001:** Revisions to the City of Prescott Land Development Code Consistent with A.R.S. §9-500.49 as Follows: 1) Adoption of Resolution No. 2025-1952 and Ordinance No. 2025-1915 Revising the City's Land Development Code; 2) Adoption of Ordinance No. 2025-1917 Revising the City's General Engineering Standard; and 3) Adoption of Resolution No.2025-1962 Updating the Conformance Criteria for Final Plat Submission.

Planning Manager Alex Bramlette provided a presentation to the Council regarding the Land Development Code Amendments. She stated that all motions are related to HB2447, and there is no motion related to the first two elements discussed during the Study Session. Additionally, she clarified that declaring an emergency makes the Ordinance effective immediately rather than in 30-days.

Mayor Pro Tem Fruhwirth stated that she has no additional questions that need to be answered because of the Study Session.

Councilman Ruby commented that these are things that have to be done because of action at the state legislature and nobody at this dais wants to do so. There is a tendency to reduce citizen input and not decrease it. He would like to work to make sure that our lobbyists work with the legislature to make sure that communities like Prescott are not impacted.

City Attorney Joseph Young added that adoption of the Resolution would retain the original language and add the three elements highlighted in the slide.

Councilman Garing stated that Resolution 3213 should be retained with the last section included (5.C.)

Mr. Young commented on the adoption of Resolution No. 2025-1962 and stated that Section 5.C. from Resolution 3213 can be added.

Councilwoman Frederickson asked for clarification that an abstention is a yes vote in accordance with the Charter.

Mr. Young confirmed.

MOTION BY MAYOR PRO TEM FRUHWIRTH TO ADOPT RESOLUTION NO. 2025-1952 AND ORDINANCE NO. 2025-1915; SECONDED BY COUNCILMAN GAMBOGI: PASSED (5 - 0 - 2) COUNCILWOMAN FREDERICKSON AND COUNCILMAN RUBY ABSTAINING

MOTION BY MAYOR PRO TEM FRUHWIRTH TO ADOPT ORDINANCE NO. 2025-1917; SECONDED BY COUNCILMAN GAMBOGI: PASSED (5 - 0 - 2)

COUNCILWOMAN FREDERICKSON AND COUNCILMAN RUBY ABSTAINING

MOTION BY MAYOR PRO TEM FRUHWIRTH TO ADOPT RESOLUTION NO. 2025-1962 AMENDED BY ADDING BACK SECTION 5.C. FROM ORIGINAL VERSION OF RESOLUTION NO. 3213; SECONDED BY COUNCILMAN GAMBOGI: PASSED (5 - 0 - 2) COUNCILWOMAN FREDERICKSON AND COUNCILMAN RUBY ABSTAINING

11. ADJOURNMENT

There being no further business to discuss, Mayor Rusing adjourned the meeting at 6:38 p.m.

Signed by:
Cathey Rusing
367414EC8AAB48C
CATHEY RUSING, Mayor

ATTEST:

Sarah M. Thornhill
SARAH M. THORNHILL, 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 December 9, 2025. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Thornhill
Sarah M. Thornhill, City Clerk