City of Prescott

City Council - Voting Meeting

January 27, 2026 | 3:30 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 3:30 p.m.

2. 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

3. INTRODUCTIONS / ANNOUNCEMENTS

Mayor Pro Tem Fruhwirth announced that the city is currently accepting applications for Community Development Block Grant (CDBG) funding. Approximately $250,000 is expected to be available for Program Year 2026 to support projects that benefit low- and moderate-income residents. Application filing closes January 30. Interested organizations are encouraged to review the application materials and how-to video available on the City's CDBG webpage before submitting. Also, closing on January 30 is the application filing period for various city Boards, Commissions and Committees. More information is available on the City Clerk's Office landing page of the the city website.

She added that the Prescott Fire Department will be hosting upcoming community outreach meetings on proposed updates to the Wildland Urban Interface (WUI) Code. These meetings provide an opportunity to learn more, ask questions, and share input related to wildfire preparedness and community safety and will take place as follows: Two meeting options are available:
* Thursday, February 12, from 5:00 to 7:00 p.m. at City Hall Council Chambers
* Friday, February 20, from 9:00 to 11:00 a.m. at the Rowle P. Simmons Community Center

The Fire Department is also gathering community input for its 2026 Strategic Plan, and residents are encouraged to participate in the Stakeholder Outreach Survey. The survey is available online at prescottfire.org.

Finally, Mayor Pro Tem Fruhwith added that the Council will holding a series of special Study Sessions in the coming months to help ensure Council is fully informed on key topics before future votes are taken. Upcoming Special Study Sessions will be held:
* Tuesday, February 3 at 1 pm

* Tuesday, February 17 at 1 pm
* Tuesday, March 3 at 1 pm
* Tuesday, April 7 at 1 pm
* Tuesday, April 21 at 1 pm

Mayor Rusing commented on the passing of Representative Noel Campbell and asked for a moment of silence.

4. INVOCATION - Pastor Jon Wolfinger with Union Church

5. PLEDGE OF ALLEGIANCE - Councilwoman Frederickson

6. OPEN CALL TO THE PUBLIC

A. Michael Marchand addressed the Council regarding centralization, this is a complicated and expensive project. He discussed the consent order received from ADEQ and the fact that the project addressed in that will not be completed until 2029 which is beyond the time that was set by ADEQ. He suggested that only one individual be responsible for centralization at the city.

B. Steve Hunyar addressed the Council regarding the Flock safety issues and the political implications of them. There is usually one issue during an elected individuals term that will stick with them. What will sit with people is that they are being survieled and this is a bi-partisan issue. Need to get rid of the system or it will snowball.

C. AnnMarie DiCarlo addressed the Council regarding Flock cameras and stated that there are many people who are upset about them. Purchases were made without the approval of City Council. The use of these cameras is unnecessary and a violation of people's right to privacy. She stated that the information is shared and anyone can access the system.

7. CONSENT AGENDA

MOTION BY MAYOR PRO TEM FRUHWIRTH TO APPROVE CONSENT AGENDA ITEMS 7.A. THROUGH 7.F., EXCLUDING ITEM 7.B.; SECONDED BY COUNCILMAN GARING: PASSED (7 - 0)

A. Approval of Meeting Minutes from the January 13, 2026 Study Session, and the January 13, 2026 Voting Meeting.

B. Action Regarding a Citizen Petition Received by the Council at the January 13, 2026 Voting Meeting and Submitted by Bonnie McMinn.

This Item was pulled from the Consent Agenda by Mayor Rusing for further discussion. She stated that there is concern regarding the open space being included on the master plan.

Member of the public and petitioner Bonnie McMinn addressed the Council regarding Section 3 addressing the acreage of open space in the Master Plan.

Given approval of the Open Space initiative she doesn't understand why open space is included in the Rodeo Master Plan, this parcel is not included in any current lease or part of the publicly posted legal description or managed by the Rodeo. The land is not considered usable land and from a public perspective, it is confusing that it is included. Urged the Council to support the petition and exclude the acreage from the Master Plan.

Mayor Rusing stated that this is a good point related to the open space, she doesn't understand why there isn't a survey in the procedures. The open space should be excluded from the Master Plan.

Member of the public Ralph Hess addressed the Council on behalf of Deb Thalasitis who is one of the co-petitioners. She serves on the Rodeo Grounds Steering Committee during the request for proposals and consultant selection for the Master Plan and addressed Section 2 of the submitted petition. City staff has requested an artistic rendering of the Master Plan and the Rodeo's Master Plan be shared at an upcoming meeting. This master plan has approximately 250 people that attended a June open house that were not in favor of it, and the proposal is outdated. Asking the city to follow an open and transparent process.

Member of the public Marty Siegel addressed the Council as a co-peitioner for the adopted 2023 Resolution. There is an effective "end date" in that Resolution, and the city's current schedule shows the master planning schedule extending through at least August 2026 and they would like to have city staff revise 2023-1862 to eliminate the end date. They value community discourse especially considering how much long-term impact this Master Plan will have.

Mayor Pro Tem Fruhwirth commented that it is clear that public comment periods are important, and she has no issue removing the July 2026 deadline from Resolution No. 2023-1862. But she asked if the date should be left open, or if it should have a new specific end date. Also, she commented that the desire is to have a new design based on all the public feedback received and asked if it is true that the old designs would be included in the open house.

City Manager Dallin Kimble responded that when the city reaches a point where the Council is ready to consider adopting a Master Plan that is when he would consider having a comment period opened so that decision is up to the Council.

Deputy City Manager Michael Morris stated that questions about previous plans would come up during the open houses and the consultant felt that it was important to incorporate older iterations while making it clear that there will be a new plan developed.

Mayor Pro Tem Fruhwirth added that she has a different opinion related to Open Space and would like to see language along the lines of "open space is so noted and any change to the acreage would require voter approval". The Council cannot pretend the open space isn't there and she thinks it should be included.

Councilman Grady agreed with Section 1 and removing the July 1 sunset date. As for Section 2, he feels it is essential to look at previous materials, but staff needs to reinforce that this is a new process. He stated that he is concerned that the Master Plan from 2023 is prejudicial, so it has to be clear that these are not approved plans by the city. Additionally, he feels the 4.21 acres should not be included in the Master Plan.

Mr. Kimble commented that including the acreage in the plan isn't about a different use but rather how to take advantage of the open space within the plan. If it isn't included, it isn't part of the plan and not considered, but if it is that open space can be incorporated in an appropriate way.

Councilman Gambogi commented that when he read the item he was confused and is now even more confused. He asked if the acreage is included in Prop484, and asked if the petition is being included or not.

City Attorney Joseph Young confirmed that it is included in the list of acreage/parcels from Prop484 and was considered open space when the Rodeo Grounds were purchased.

Mr. Kimble clarified that the petition would fully exclude the acreage from the Master Plan.

Councilman Ruby stated that it is important to recognize that there is open space there, and it should be noted in a different color or something along those lines. Additionally, he agreed that it should be part of the plan so that there is an understanding of how the acreage will interact with the overall Master Plan. He asked about the process of obtaining feedback and incorporating that into the Master Plan, and stated that he is in favor of removing the sunset date.

Mr. Morris responded that over the last year there were several stakeholder groups and meetings that got together to go over each of their needs and goals. Now it is time to engage the public and get their feedback. The community meeting will have six different stations, one focused on visioning and what the public's vision is for the property and the plan. Everyone will also have the opportunity to provide comments in written format, dialogue with the consultant, etc.

Mr. Young commented that an open date for public comment makes sense. However, there are often projects and approvals that have resolutions associated with them, but there isn't anyone keeping track of them, so, practically, there should be end dates.

Councilwoman Frederickson echoed Mr. Young's comments but stated that it is only useful if there is someone monitoring it. She thinks the sunset date should be adjusted. As for Section 2, from her perspective this is already being done but need to ensure that there is language indicating clearly that these are past studies/plans and not the foundation for the new plan but for informational purposes only. Finally, for Section 3, she echoed Councilman Ruby's comments about changing the mapping to reflect that there is open space with language indicating that the property is Charter protected open space which will not be changed/sold/leased without voter approval. Should be included in the Master

Plan in that way.

Councilman Grady commented that the Council has stated that this is one of the highest priorities for 2026, and he would like to see a sunset date of Dec. 31, 2026. He added that he agrees with accurate mapping and the open space included/identified in the Master Plan.

Mayor Rusing stated that she is fine leaving Section 1 open ended, she feels that it is appropriate to include past plans for the discussions during this process. And as it relates to Section 3, there have always been issues with maps from her perspective so she does not feel that the protected open space should be included in the Master Plan.

MOTION BY MAYOR RUSING TO APPROVE ITEM 7.B. AND ADOPT RESOLUTION NO. 2026-1965 AS SUBMITTED BY THE PETITIONER; SECONDED BY COUNCILMAN GRADY: PASSED (5 - 2) MAYOR PRO TEM FRUHWIRTH AND COUNCILMAN GAMBOGI DISSENTING

Councilman Garing asked if there had been seven public meetings.

Mr. Morris responded that the public meetings cited in Exhibit A were related to the rezoning process.

Mr. Young added that for any approval process for zoning or increased use.

C. Approval of City Purchase Order No. 2260370 with Earth Resources Corporation for Smoke Tree Lane Infrastructure Emergency Repairs Ratification in the Amount of $69,981.10 Funding is Budgeted & Available in the Water Fund.

D. Approval of Night Work Associated With the Manhole Repair Program for Work Between February 2 and February 19, Excluding Weekends.

E. Approval of Applications for Various Fiscal Year 2026 and 2027 Grant Funding Opportunities for the Prescott Fire Department.

F. Approval of Acceptance of Governor's Office of Youth, Faith & Family, STOP Violence Against Women Grant Program in the Amount of $200,000.00 (RFGA No STOP-GOYFF-010124-00; Contract No. GR-STOP-GOYFF-010124-07(Y3); and Approval to Continue Staffing Grant Funded Detective Positions.

8. CONSENT ORDINANCE

A. **<u>CONTINUED ITEM:</u>** Adoption of Ordinance No. 2026-1928 Related to Permitted and Prohibited Activities within City Parks and Waterways.

Mayor Rusing commented that the main issue with this from the previous discussion was removal of the word "wading". That language has been clarified and the Ordinance includes swimming and bathing.

MOTION BY MAYOR RUSING TO ADOPT ORDINANCE NO. 2026-1928; SECONDED BY COUNCILMAN GRADY: PASSED (6 - 0 - 1) MAYOR PRO TEM FRUHWIRTH ABSTAINING

9. LIQUOR LICENSE

A. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Michele Ann Moore, Applicant, for Modern Agave. Location: 130 W Gurley Street, #A.

MOTION BY COUNCILMAN GAMBOGI CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN RUBY. (PASSED 7 - 0)

MOTION BY COUNCILMAN BAMBOGI TO APPROVE LIQUOR LICENSE APPLICATION NO. 257810 FOR A NEW SERIES 12 RESTAURANT LIQUOR LICENSE FOR MODERN AGAVE. LOCATION: 130 W GURNEY STREET, #A; SECONDED BY COUNCILMAN RUBY: PASSED (7 - 0)

B. Public Hearing and Consideration for a New Series 12 Restaurant Liquor License Application from Jeffrey Craig Miller, Applicant, for WZ Poke and Ramen. Location: 258 N Lee Boulevard.

MOTION BY MAYOR RUSING TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN RUBY: (PASSED 7 - 0)

MOTION BY MAYOR RUSHING TO APPROVE LIQUOR LICENSE APPLICATION NO. 369955 FOR A NEW SERIES 12 RESTAURANT LIQUOR LICENSE FOR WZ POKE AND AMEN, LOCATION: 258 N LEE BOULEVARD; SECONDED BY COUNCILMAN RUBY: PASSED (7 - 0)

10. REGULAR AGENDA

A. Adoption of Ordinance No. 2026-1929 Approving City Contract No. 2026-167, a Purchase Agreement Between the City of Prescott and Embry-Riddle Aeronautical University Inc. for the Purchase of One (1) Lot at Prescott Regional Airport for the Future Site of the Air Traffic Control Tower.

Airport Director Rick Crider addressed the Council and reviewed the proposed sites for a new Air Traffic Control Tower and other land purchases in the surrounding area. This will be four four acres, to place a new 175-180 foot tower.

Real Estate Administrator Bryan Sparks further reviewed the purchases. Lot 19 will be the final purchase and the cheapest compared to the other four. The lot is finished, and all utilities are installed already.

Mayor Rusing asked about reimbursement from ADOT.

Mr. Crider responded that staff will pursue reimbursement with the state, it is a consideration.

MOTION BY MAYOR PRO TEM FRUHWIRTH TO ADOPT ORDINANCE NO. 2026-1929; SECONDED BY MAYOR RUSING: PASSED (7 - 0)

11. ADJOURNMENT

There being no further business to discuss, Mayor Rusing adjourned the meeting at 4:50 p.m.

Cathey Rusing

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 January 27, 2026. I further certify the meeting was duly called and held and that a quorum was present.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk