



CITY COUNCIL SPECIAL VOTING MEETING

VOTING MEETING MINUTES

TUESDAY, JULY 13, 2021, 1:00 PM

201 S. Cortez Street
Prescott, AZ 86303
City Council Chambers

Greg Mengarelli, Mayor

Alexa Scholl, Mayor Pro Tem

Steve Blair, Councilman

Phil Goode, Councilman

Cathey Rusing, Councilmember

Steve Sischka, Councilman

Clark Tenney, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL VOTING MEETING HELD ON JULY 13, 2021, IN THE 201 S. CORTEZ STREET PRESCOTT, AZ 86303 CITY COUNCIL CHAMBERS.

1. CALL TO ORDER

Mayor Mengarelli called the meeting to order at 1:01 p.m.

2. ROLL CALL

Greg Mengarelli	Mayor
Alexa Scholl	Mayor Pro Tem
Steve Blair	Councilman
Phil Goode	Councilman
Cathey Rusing	Councilmember
Steve Sischka	Councilman – Attended Via Zoom
Clark Tenney	Councilman

3. REGULAR AGENDA

- A. Consideration of Proposed Annexation of Property Belonging to Arizona Eco Development with Associated Master Plan, Rezoning and Development Agreement Approval. Areas are Collectively Known as AED North and AED South (ANX18-004, ANX18-005, MPA18-002, MPA18-003, PLN18-018 and PLN18-019).

Ordinance No. 2021-1768

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PRESCOTT BY ANNEXING APPROXIMATELY 1658 ACRES OF RESIDENTIALLY ZONED LAND (RCU-2A), GENERALLY LOCATED EAST OF PRESCOTT REGIONAL AIRPORT AND NORTH OF SR 89A IN YAVAPAI COUNTY,

ARIZONA, INTO THE CITY OF PRESCOTT AND ASSIGNING ZONING CLASSIFICATIONS THERETO

Ordinance No. 2021-1769

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF PRESCOTT BY ANNEXING APPROXIMATELY 858 ACRES OF RESIDENTIALLY ZONED LAND (RCU-2A, R1L-35, R1L-18), GENERALLY LOCATED EAST OF SR89 AND SOUTH OF SR 89A IN YAVAPAI COUNTY, ARIZONA, INTO THE CITY OF PRESCOTT AND ASSIGNING ZONING CLASSIFICATIONS THERETO

Ordinance No. 2021-1770

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT GENERALLY LOCATED EAST OF PRESCOTT REGIONAL AIRPORT AND NORTH OF SR 89A FROM RURAL ESTATE 2 ACRE (RE-2A) ZONING DISTRICT TO NATURAL OPEN SPACE (NOS), SINGLE-FAMILY 6 (SF-6), INDUSTRIAL TRANSITION (IT), INDUSTRIAL GENERAL (IG) AND MIXED USE (MU)

Ordinance No. 2021-1771

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING OF CERTAIN PROPERTY WITHIN THE CITY OF PRESCOTT GENERALLY LOCATED EAST OF SR89 AND SOUTH OF SR 89A FROM RURAL ESTATE 2 ACRE (RE-2A), SINGLE-FAMILY 35 (SF-35), SINGLE-FAMILY 18 (SF-18) ZONING DISTRICT TO NATURAL OPEN SPACE (NOS), SINGLE-FAMILY 6 (SF-6), MULTIFAMILY HIGH (MFH), AND SPECIALLY PLANNED COMMUNITY (SPC)

Planning Director George Worley addressed Council stating that a Power Point presentation regarding actions required by Council to adopt the Development Agreement (DA), the IGA with Prescott Valley, Annexation of the north and south portions of the proposed AED development, and the associated rezoning and master plans for each of those will be presented after City Attorney Jon Paladini completes the discussion of the recent changes in the DA.

Mr. Paladini discussed the addition of Section 2.19 in the DA which allocates the water resources to the North Parcel, South Parcel, Granite Dells Parkway and Section 33. Paragraph G states that when the developer has deposited funds into escrow and signs a special warranty deed and it is recorded, the 474 acres will be conveyed to the city and the developer's right to the water comes into effect upon the deed being deposited into escrow. If approved today, escrow could and most likely will open before the expiration of the 30 day period.

Mayor Mengarelli asked Mr. Worley to provide a summary of the process for the motions.

Mr. Worley stated he will bring each item up on the screen for Council to take action on during voting and Mayor may receive public comment as he desires.

Deputy City Clerk, Jennifer Wiita provided a summary to Council of comments received from the public since the last meeting on June 29, 2021.

Member of the public Kathleen Murphy addressed Council as a fifty year resident and expressed her concern that Council is depending on a 100-year water study done during the wettest period and that whether the city owns the water is still in dispute. Ms. Murphy left a clip of *The Talk of The Town*.

Member of the public Tom Rusing addressed Council stating the AED deal negotiated is far from ideal, but does accomplish the primary goal of Save The Dells which is to preserve the core iconic, unique heart of Granite Dells. Is a good beginning, but the work is not done and he feels the community needs people on Council that will hold the developers accountable in the future.

Mr. Paladini cautioned speakers that campaign style speeches are prohibited by law and they may not use city resources to influence elections, advised not to talk about changes in leadership and Council.

Save the Dells President Amber Fields addressed Council stating that while the organization has not received all of the safeguards desired to be in the DA, they feel they have achieved their main conservation goal. She encouraged the city and developer to continue conversations about protecting the 1000-year-old Native American pit houses in the South Parcel and recommended Council vote "yes" on the AED DA and annexation agreement.

Member of the public Jeri Smith Fornara addressed the Council stating she feels the DA was a rush job and wished for a city attorney that knew what he was doing, staff and Council know nothing about water. She is happy that Save the Dells did this, but unhappy with Dell Webb and Jason Gisi.

Developer Jason Gisi addressed Council stating the negotiations were tough and took a lot of endurance, but staff and Council did a wonderful job. He feels it is important to recognize that this has been the most transparent process in his 25 years in Prescott, in the past it has been a challenge.

Member of the public Rory Levy addressed Council requesting that the DA vote be postponed until a telecom plan is in place.

Mayor Pro Tem Scholl thanked the public for attending on this important day as well as Mr. Gisi and the Council negotiating team. She added that the main goal was to protect the heart of the Dells and the land around the airport, and that is what has been achieved; she is proud to be here and to see such a great turnout for such a historic vote.

Councilmember Rusing thanked everyone who started Save the Dells for their contributions. She believes city is one step closer to a regional park, and hopes that is the next goal. While main focus of these negotiations has been the Dells, another beneficiary is the airport and hopes this will protect from encroachment and help it become an economic driver for our community. Councilmember Rusing thanked Mr. Gisi and Council.

Councilman Tenney thanked everyone for the public comment. He noted that nobody involved got 100% of what they wanted, but that is the nature of negotiations, and he is pleased with the deal as it preserves land around the airport and saves some critical pieces of the Dells.

Councilman Goode thanked the Save the Dells organization for their diligence and involvement in making what was previously a DA with many flaws much more acceptable. He would have preferred a longer period of public consideration and review but Council seems to be rapidly moving to a decision today. Future Council will have to make sure that the commitments in the agreement are properly kept, and today he will support the DA with a commitment to closely monitor it and is happy to be involved in this historic event.

Councilman Sischka believes it is time for the community to heal and move forward together. He stated that he is voting to protect the airport and preserve the Dells in perpetuity in the City of Prescott.

Mayor Mengarelli commented that he appreciates all of the efforts and input of many of his colleagues at the dais and thanked staff for a tremendous job, he also thanked Mr. Gisi and Stuart Swanson for all of their efforts and for hanging in on this long and difficult road. In addition, the Mayor thanked Amber Fields and Joe Trudeau for everything they have done to get to this point and said that this agreement is a gift to our region and he is very proud to be a small part of making this happen for our city. To be able to have these tremendous assets in city hands to be leveraged for our quality of life and economic development in the future is something we can all be very proud of.

Councilman Blair thanked everybody and stated this purchase is a very big cap on top of the many open space acquisitions that started in the 1900's. This is a crown jewel and is glad to have this done.

Development Agreement

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT RESOLUTION NO. 2021-1785 APPROVING THE DEVELOPMENT AGREEMENT (CITY CONTRACT NO. 2021-011); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

Annexations

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ORDINANCE NO. 2021-1768 APPROVING ANNEXATION ANX18-004(AED NORTH); SECONDED BY COUNCILMAN TENNEY: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE EQUIVALENT CITY OF PRESCOTT ZONING FOR AED NORTH UPON ANNEXATION TO BE RURAL ESTATE 2-ACRE (RE2-ACRE); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ORDINANCE NO. 2021-1769 APPROVING ANNEXATION ANX18-005(AED SOUTH); SECONDED BY MAYOR MENGARELLI: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE EQUIVALENT CITY OF PRESCOTT ZONING FOR AED SOUTH UPON ANNEXATION TO BE RURAL ESTATE 2-ACRE (RE 2-ACRE), SINGLE-FAMILY 35 (SF-35) AND SINGLE-FAMILY (SF-18); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

Intergovernmental Agreement

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT RESOLUTION NO. 2021-1786 APPROVING AN IGA WITH THE TOWN OF PRESCOTT VALLEY; SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

AED North

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE MEMORANDUM OF MASTER PLAN FOR AED SOUTH (MPA18-002); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ORDINANCE NO. 2021-1770 APPROVING THE REZONING OF VARIOUS PORTIONS OF AED NORTH TO NOS, IG, IT, MU, SF-6 AND SF-6MH (PLN18-018); SECONDED BY COUNCILMAN TENNEY: PASSED [7 – 0].

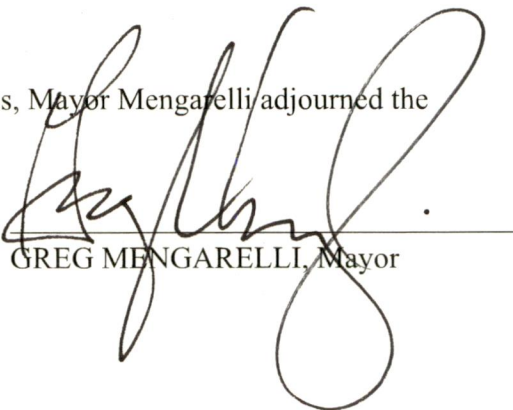
AED South

MOTION BY MAYOR PRO TEM SCHOLL TO APPROVE MEMORANDUM OF MASTER PLAN FOR AED SOUTH (MPA18-003); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

MOTION BY MAYOR PRO TEM SCHOLL TO ADOPT ORDINANCE NO. 2021-1771 APPROVING THE REZONING OF VARIOUS PORTIONS OF AED SOUTH TO NOS, SF-6, MF-H AND SPC (PLN18-019); SECONDED BY COUNCILMAN SISCHKA: PASSED [7 – 0].

12. ADJOURNMENT

There being no further business to discuss, Mayor Mengarelli adjourned the meeting at 1:43 p.m.



GREG MENGARELLI, 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 July 13, 2021. I further certify the meeting was duly called and held and that a quorum was present.

Dated this 27 day of July, 2021.

AFFIX

CITY
SEAL





Sarah M. Siep, City Clerk