



City of Prescott

Mayor's Charter Review Commission

January 28, 2026 | 10:00 AM
201 N. Montezuma Street
1st Floor Conference Room, Suite 128
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

City Clerk Sarah Thornhill called the meeting to order at 10:00 a.m.

2. ROLL CALL

Michael Broggie - Member (Excused)

Michael Gjede - Member

Ralph Hess - Member

Bonnie McMinn - Member

Rod Moyer - Member

3. DISCUSSION & ACTION ITEMS

A. Discussion & Possible Action Regarding Selection of a Chair & Vice Chair.

**MOTION BY MEMBER MOYER TO APPOINT MEMBER MCMINN AS CHAIR;
SECONDED BY MEMBER GJEDE: (PASSED 4 - 0)**

**MOTION BY MEMBER HESS TO APPOINT MEMBER MOYER AS VICE
CHAIR; SECONDED BY MEMBER MCMINN: (PASSED 4 - 0)**

B. Presentation & Discussion Regarding Upcoming Elections and Important Dates.

Ms. Thornhill provided a presentation to the Commission regarding the 2026 Election cycle and important dates necessary to target if the Commission would like to bring forward any Charter Amendments during this year. At this point, the only Election deadlines they would be able to meet would be for the Tuesday, November 3, 2026 Election which would function as a special, off-cycle and unbudgeted election for the city.

Commission discussion regarding the overall costs of elections and if it would be different this year versus in a normal city election year. Members noted that if the amendment related to Majority to Elect in a Primary were to go on the November Election Ballot and be approved, it would theoretically avoid future unnecessary runoffs and election costs.

This item was for discussion only, no formal action was taken.

C. Commission Discussion Regarding Possible Future Charter Revisions.

Ms. Thornhill introduced the discussion and stated that all the proposals listed in this memo were carryovers from the last time the Commission met in May 2024. She wanted to have them discuss these and determine timing and priorities on what they might want to recommend for future amendments. Additionally, she added that anything related to open space on the list has been removed given

agenda item.

Article X - Initiative, Referendum & Recall

Member Hess stated that this proposal can be removed from future discussion.

Article XI - City Court

Member Hess stated this is a housekeeping issue. The proposal would be to remove the "Justice of the Peace" and simply have the title state "City Judge".

Staff said that is a simple revision that can be worked on and makes sense to bring back for approval to be included in any 2026 proposal for a ballot measure.

Commission consensus to have that revision worked on by staff and brought back for a future vote of the body.

Article XIII - General Provisions

Member Hess stated that the previous General Plan Review Committee recommended a discussion for the Charter Review Commission to have Major Plan Amendments approved by the voters rather than a super majority vote of the Council. This would be an addition of Section 9 to this Article.

Mayor Rusing stated that she thinks this is a good addition, but it is also important to be sure to not appear to be against economic development in the community.

Mr. Young added that Development Agreements and things can be worded more strongly, so there isn't such a broad brush for such a specific problem. This type of addition could potentially extend timeframes in a way that would be harmful to Economic Development.

Chair McMinn requested that staff take a look at this language and see what a potential update might look like.

Commission consensus to have staff use the proposed language as a basis for a Charter Amendment and bring it back for a future discussion.

Staff reiterated that this will take time to work through.

Member of the public Lois Fruhwirth commented that also taking away some of the authority and power of the Council makes it difficult to find people that will want to serve, so it is important not to stifle commercial economic development.

Mr. Young commented that going from residential to commercial is a major plan amendment and would therefore extend the process quite a bit so that is something to think about, but the language can be thought through.

Deputy City Attorney Matt Podracky added that some of these more major revisions would also include more legal review and input because something like what the state has already said should be the process for a major plan amendment and making a change like this could violate that.

flexibility for collective bargaining.

Mr. Young stated that the charter prohibits collective bargaining, the Unions for Police and Fire don't use this, but adjusting the Charter in this way would allow them more flexibility to do so. This is really a Council policy question.

Member of the public Lois Fruhwirth states that she doesn't view that language as collective bargaining.

This item was for discussion only, no formal action was taken.

- D. Discussion Regarding Possible Updates to Article IX Section 6 of the Prescott City Charter "Majority to Elect in Primary" for Approval at a Future Election. Ms. Thornhill reviewed the memo included in the packet, she stated that the three options are the same ones that were presented to Council in November and are based on previous discussions. Option 1 would retain the current process but provide clarifying language in the Charter, Option 2 would mirror State Statute and Option 3 would state that the highest vote getters for each office would be duly elected in the Primary which would eliminate run-offs. She opened the floor to the Commission discussion.

Chair McMinn asked for the legal department's opinion on this issue.

Mr. Young stated that all three of these are appropriate options. Keeping the existing language but cleaning it up makes the option for a "one shot" less likely. Staff essentially wants clarity and direction on a policy choice to make a determination.

Member Gjede asked how the County is involved in this.

Mr. Young and Ms. Thornhill stated that the County Elections Office counts all ballots and provides those numbers to the City Clerk's Office for a determination on who is elected.

Mayor Rusing stated she thinks it should be votes and not ballots that are counted, and that whoever gets the most votes wins.

Ms. Thornhill clarified that would be option 3, which would eliminate runoffs altogether.

Vice Chair Moyer stated that he likes the Statute language.

Mr. Young stated that Option 2 would have runoffs some of the time, but would make General Elections much less likely. He added that Option 3 would exacerbate the "single shot" issue.

Member Hess stated that when this becomes an issue is when there are a lot of candidates running. If there are nine candidates, for example, just because someone gets the most votes doesn't mean they would get a majority of the votes. In his opinion, the best way to do a revision is to have the language be the same as State Statute.

voter approval of Prop484. She opened the discussion for the Commission to discuss.

Mayor Rusing stated that she would vote no on any nondiscrimination language in the City Charter. She is not comfortable adding language that would allow sex offenders who decide to put on a dress and some lipstick to go into a girl's bathroom or a bi-polar person with schizophrenia to be hired by the Fire Department. This language is pulled right out of the California State Statutes and would lead to those situations. It is not one of the jobs that this body needs to focus on.

Member of the public Lois Fruhwirth concurred.

City Attorney Joseph Young commented that these provisions are included in State Statute and not entirely necessary for inclusion in the City Charter. He added that the role of Mayoral Ad Hoc's can differ from typical advisory BCC's, because members are appointed by the Mayor rather than the full Council so if the Mayor determines they want to limit what moves forward to the full Council they are able to do that so that is something to consider as well.

Member Hess added that based on the City Attorney's comment, if the Mayor wouldn't support this moving forward then there is no point. He also asked for clarification on whether this body will be making recommendations to the Mayor or to the Council. Previously it was to the Council.

Mayor Rusing responded that recommendations will go through her, nothing will move forward without her authorization.

Commission consensus to not have this portion move forward.

Article VIII, Section 11 - City Leases

Member Hess stated that this was based on the language related to the sale of city property, which requires a super majority vote of the Council. This is what he proposed to start the conversation.

Mayor Rusing commented that nobody will lease city property if they have to go through this process every two years. She doesn't think the city needs that.

Member Hess stated that if this doesn't move forward, he will propose something else because the Charter needs something related to leases over an extended period of time.

Chair McMinn stated she thinks it is important to firm up the language and add protections.

Ms. Thornhill added that the Commission could give staff some direction regarding what their priorities are and what sections or articles they would like to see amended in the future at another election.

Commission consensus to look at leases and revisions in the Charter for a future

Chair McMinn continued with a discussion regarding her carryover suggested revisions included in the packet.

Article IV, Section 3 - City Treasurer

Chair McMinn would like to have this looked at by legal staff. There have been statutory changes that need to be clarified, but does it make sense to have the Treasurer/Finance Director Report to the Council.

Article II, Section 21 - Executive Sessions

Chair McMinn commented on some of the executive session issues and information getting out from those discussion. She would like to defer to the legal department for review and have them return to the Commission with any suggestions for additional language.

Article I, Section 3, Paragraph 4 - Bringing Utilities to Property

Chair McMinn stated that this clause should be clear on the fact that the developer and/or property owner are required to bring utilities to their property. There should be no exceptions from the Council.

Adjoining & Adjacent Properties Clause:

Chair McMinn commented that this clause has been included in every annexation and development agreement (DA). She suggests an addition to the Charter, because it is not currently included, to bar the language from all DAs, annexations, districts and contracts.

Finally, Chair McMinn commented on a desire to add language that would bar grading until water, and final plat is approved by the city.

Mr. Young commented that the adjoining and adjacent properties' clause is in most DAs but not all, the Deep Well DA is a good example of this because of the "may annex" language. It is a tying of the Council's hand in a variety of ways, but there could be a requirement for new DAs when there are changes of that nature. He believes that these clauses should be left at the discretion of the Council approving the DA at the time and not the developer.

Mayor Rusing commented that the DA for Deep Well is a travesty, and they can't let that happen again.

Discussion whether these are charter provisions or LDC or just tighter DAs.

Commission consensus to have staff review the above items as discussed.

Staff and Commission discussion regarding how to get Items added to a future agenda. At all future meetings, the City Clerk will include a section for "Future Agenda Items" to discuss what will be upcoming and any items that Commission Members would like to add.

Article II, Section 1 - Powers of the Council

Member Hess stated that his suggestion in this section was to review to allow

Mr. Young concurred, Option 3 could become a situation where the process isn't as democratic as it should be. The benefit of Option 2 is that it is run by the State, is well litigated and everyone is clear on what the expectation is.

Mayor Rusing stated that complying with State Statute makes this pitchable to the voters as well.

MOTION BY VICE CHAIR MOYER DIRECTING STAFF TO DRAFT BALLOT LANGUAGE BASED ON OPTION 2 & BRING IT BACK TO THE COMMISSION FOR APPROVAL; SECONDED BY MEMBER GJEDE: (PASSED 4 - 0)

4. ADJOURNMENT

Before adjourning the meeting, Chair McMinn stated that she would like to meet twice monthly.

Staff and Commission discussion regarding adding a Section to the February 25 Meeting to begin with meetings twice monthly in March.

There being no further business to discuss, Chair McMinn adjourned the meeting at 11:45 s.m.



BONNIE MCMINN, Chair

ATTEST:



SARAH M. THORNHILL, City Clerk