

# City of Prescott

## Charter Review Committee



April 6, 2026 | 2:30 PM  
201 N. Montezuma Street  
Council Chambers, 1st Floor  
Prescott, AZ 86301

### MINUTES

#### 1. CALL TO ORDER

Chair McMinn called the meeting to order at 2:30 p.m.

#### 2. ROLL CALL

Bonnie McMinn - Chair  
Rod Moyer - Vice Chair (Excused)  
Michael Broggie - Member  
Michael Gjede - Member  
Ralph Hess - Member

#### 3. DISCUSSION & ACTION ITEMS

- A. Approval of Minutes from the March 16, 2026 Charter Review Committee Meeting.

**MOTION BY MEMBER GJEDE TO APPROVE THE MINUTES AS PRESENTED; SECONDED BY MEMBER BROGGIE : PASSED (4 - 0)**

- B. Discussion & Possible Action Regarding an Update to Article II, Section 18 "Consideration of Petitions" for Approval at the November 2026 Election. Chair McMinn commented that there was discussion related to this Item at the previous Committee meeting.

City Attorney Joseph Young commented that he is concerned with the language "public hearing" which has different requirements for noticing, and because of this suggested amending the language to "public meeting".

Member Hess said it was his intent to have a public hearing for this, and added that the Council has been limiting public involvement and requiring a public hearing would ensure there is adequate civic engagement and transparency.

Member Gjede said he is comfortable either way.

Member Broggie agreed.

Council Liaison Cathey Rusing stated that she is not in favor of this and the Council has already addressed it and chose to leave petitions on the Consent Agenda and this process has been successful. There is no provision in the Charter that would limit to how many petitions a citizen could submit or any other requirements for it and she added that she does not believe the Charter should be used to override the Council but to improve policies.

Member of the public Ann Friday addressed the Committee and disagreed with the Mayor. She stated that preferred the way it was originally, and asked if perhaps there is a compromise that could be reached to prevent frivolous petitions but still allowing the public to engage in the discussion.

Chair McMinn stated that as a member of the public she appreciates how the process worked in the past. As a presenter for Prop484, which was highly effective under a different process. Additionally, she feels that because the process as it currently stands, was established by a previous Council it needs to be adjusted. This process is an a front to transparency and the process. She is agreeable to it not being a public hearing and rather just a line item on a regular agenda so it is more citizen-friendly.

Member Hess stated that he believes the Council policy is an insult to citizens. He doesn't share the Mayor's concern about frivolous petitions, and he hasn't experienced any since he's lived in the city. Just because a member of Council doesn't like something doesn't mean you don't discuss it.

**MOTION BY MEMBER GJEDE TO FORWARD PROPOSED LANGUAGE FOR AN UPDATE TO ARTICLE II, SECTION 18 "CONSIDERATION OF PETITIONS" TO COUNCIL FOR APPROVAL WITH THE REVISION OF CHANGING "PUBLIC HEARING" TO "PUBLIC MEETING"; SECONDED BY MEMBER BROGGIE: PASSED (3 - 1) MEMBER HESS DISSENTING**

- C. Discussion & Possible Action Regarding an Update to Article VI, Section 17 "Approval of High Value Capital Projects Exceeding \$15 Million" for Approval at the November 2026 Election.

***Member Broggie left the meeting at 2:46 p.m.***

Mr. Young expressed his concerns regarding the super majority language and the rationale of the provision. The public comment period meets the stated rationale, so that has him a bit concerned. He also discussed that he has considered some of the important projects that are necessary in the city that would meet this threshold which could cause issues. Additionally, he wanted to address any potential adjustments over time, for example, CPI as well as a possible emergency exception.

Member Gjede commented that throughout the Charter, supermajority/majority and 3/4 majority are used and this causes confusion as to what a "super majority" really is. He feels it would be appropriate to use the same language throughout.

Mr. Young responded that it can mean different things, so Member Gjede is correct but there are different standards for different votes so that is why there is not consistency. For example General Plans need five votes, which is a super majority, but an annexation requires a different type of super majority at 6-1. There isn't consistency in the Charter, or for that matter in State Statute which is a problem.

Chair McMinn stated that there is another delineation in DAs. She feels that

including a CPI adjustment would be appropriate.

Member Hess asked if the emergency clause impacts the adoption of an Ordinance.

Mr. Young responded that it does not impact the needed number of Council members to vote.

Council Liaison Rusing stated that she agrees with the spirit of this, but does feel like it needs some work, and should include some sort of emergency clause. She is concerned, however and added that \$15 million may seem like a lot but for big capital projects it sometimes may not be and would slow things down.

Chair McMinn stated that she is hesitant to vote on this because two of the members are not present.

**MOTION BY CHAIR MCMINN TO TABLE ACTION ON THIS ITEM TO APRIL 20; SECONDED BY MEMBER GJEDE: PASSED (3 - 0)**

- D. Discussion & Possible Action Regarding an Update to Article VIII, Section 11 "Leases of City Property" for Approval at the November 2026 Election.

Ms. Thornhill introduced the item and stated that the included information was based on discussion by the Committee at their March meeting.

Chair McMinn and Member Gjede commented that this is another situation where the "super majority" definition is different from other sections of the Charter.

Chair McMinn added that this Item also addresses transparency and public engagement.

Council Liaison Rusing addressed the Committee and asked if this was for the city as lessee or lessor.

Chair McMinn read from the ballot language and stated that it would be when the city is the lessor.

Mr. Young stated that this is clear.

Member Hess added that the \$4 million was selected because it aligns with the Article related to sale of city property, and so it is consistent throughout the Charter.

Mr. Young addressed the 3/4 vote, which makes it more difficult to enter into agreements or sales, and stated that his question is why does this Committee want to make things more difficult. When considering that noticing and additional public meetings helps to address concerns related to transparency and public engagement, a required super majority vote would just make it more difficult to accomplish leasing of city property and that isn't always in the best interest of the city.

Member Gjede is comfortable with super majority.

Member Hess concurred and added that anything recommended to the Council could be approved, modified or rejected by them if they feel it is not appropriate to send to the voters.

**MOTION BY MEMBER HESS TO FORWARD PROPOSED LANGUAGE FOR AN UPDATE TO ARTICLE VIII, SECTION 11 "LEASES OF CITY PROPERTY" TO COUNCIL FOR APPROVAL; SECONDED BY CHAIR MCCMINN: PASSED (3 - 0)**

- E. Discussion & Possible Direction Regarding an Update to the Prescott City Charter Establishing Certain Restrictions on Development Agreements by City Council.

Mr. Young commented that this Committee has discussed this previously and based on those discussions four items were included in the Council packet for consideration related to certain restrictions on Development Agreements (DAs). Additionally, Mayor Rusing has submitted four items for consideration which she handed out prior to the meeting being convened today. He stated that E.1. and E.2. from the Mayor are consistent with suggestions from staff based on previous discussions, the two additional were based on requests from this Committee at previous meetings and that suggestion E.4. is not necessarily DA specific. At this time, staff needs direction regarding how the Committee would like to proceed with potential revisions to the Charter.

Member Hess added that there was also discussion regarding whether it is appropriate for this to be in Policy or the Charter.

Mr. Young confirmed and added that concepts like water not being provided without a contract or IGA outside city limits are already in the Water Policy, but it depends on whether that should be in the Charter. Something like adjoining and adjacent properties should be in LDC, but staff needs to hear from the Committee regarding what they think is most appropriate.

Chair McMinn stated that she likes Item 1, and thinks that they should all be included in the city charter. She wants to have staff do more work on all four items.

Council Liaison Rusing addressed the Committee regarding the suggested criteria she proposed and what she considers when looking at contracts. She added that while there is a requirement for "open space" in developments, it is not classified as "meaningful open space" and she feels that needs to change. Additionally, she believes that the cost for utilities needs to be clarified.

Chair McMinn asked staff to bring these back with proposed ballot language for consideration. She also asked if there is anything that could be discussed for DAs that need to be extended or if DAs should have a sunset date. For approval of DAs, she asked it would make sense to have a super majority vote.

Mr. Young stated that could be done, and added that from his perspective a termination provision or sunset date would be appropriate. Again, he expressed

that generally he doesn't like super majority because it gives too much power to a select number and added that the rationale needs to be addressed. In order for the city to meet its constitutional requirements staff needs to have an understanding of that, but he doesn't think it is good governance. Finally, he stated that he would envision a new subsection that is just for DA restrictions.

Member Hess discussed Item E.4. in the Mayor's handout. It should be all "real estate purchased, sold or leased", but this should be in the sale or lease section as it doesn't relate to DAs. All suggestions in the staff memo and provisions as provided by the Mayor except for Item 4 he is in favor of and he would add that there should also be language addressing Study Sessions, public comment period, etc. He stated that perhaps because of the importance of DAs should require a 5-2 majority.

Member of the public Ann Friday addressed the Committee and stated that she has limited experience with DAs, but pointed out that the Sundog Connector DA was established in 1998 and through the years nothing happened and it got confusing, luckily Mr. Young conducted a Study Session regarding the DA in order to provide some clarification which was helpful and allowed the public to provide input.

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

- F. Discussion & Possible Direction Regarding a Requested Update to the Prescott City Charter Article XI, Section 4 Municipal Court; Presiding Officer. Chair McMinn commented that this was one of the odd sections that she hadn't really looked at before until the city now has its own Court that is not consolidated with the County. She reviewed the specific language, which she thinks warrants some cleanup.

Ms. Thornhill pointed out that perhaps term and language should be similar to that of the other Council appointees.

Member Hess added that the three appointees, could be terminated with or without cause, but he believes that the judge should be for cause. Could have yearly contracts to ensure there isn't undue influence over the judge. He also asked if there is a policy under which a Committee was established to interview the current Judge.

Mr. Young responded that was at the recommendation of the Council, they forwarded three recommendations to the Council and those individuals were interviewed. Which he felt was good practice but doesn't need to be included in the Charter.

Chair McMinn likes that they are an attorney in good standing, one year contract to align with the other appointees and have the other language (Clerk and Attorney). Bring back for review by the Committee.

Member Hess stated that Pro Tem Judges are appointed for one-year, but elected judges serve a longer term.

Committee consensus directing staff to rework the proposed ballot language for discussion at a future meeting, and to also bring back the overall article for discussion.

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

- G. Committee Discussion Regarding Upcoming Meeting Dates & Agenda Topics. Ms. Thornhill commented that this the Committee's opportunity to discuss future Items they would like to see on an Agenda, as well as provide any direction to staff related to those Items. She added that the May 12 Study Session will provide an opportunity for the Committee to present their additional proposals to the Council for the November 2026 Special Election.

Member Hess commented that it is important to make sure that the title and substance of the Municipal Court Charter Provision is looked at.

Staff concurred and stated that it will be brought back at the next meeting.

Member of the public Jim Helbling addressed the Committee and encouraged them to look at a proposal from Member Hess to hear comments regarding Section 2.A. and prohibiting discrimination which should be included in the Charter. This language is similar to what is in the General Plan statement.

Member of the public Robert Shegog addressed the Committee discussing the importance of the non-discrimination language. Words are important and having this in the charter sends a signal to everyone in the community that they are welcome. Encouraged the Committee to consider the language.

Member Hess discussed a meeting he had with Mr. Helbling and Mr. Shegog to modify the proposal for a nondiscrimination proposal in the City Charter. Some of the language was modified based on concerns raised by the Council. He passed out suggested revisions.

Committee consensus for this item to be on the next Agenda as well as tabled Item 3.C., Item 3.E., Item 3.F. follow-ups.

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

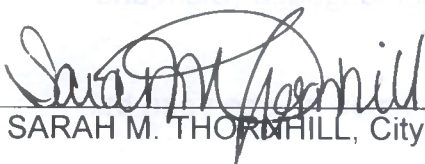
#### 4. ADJOURNMENT

There being no further business to discuss, Chair McMinn adjourned the meeting at 3:52 p.m.



BONNIE MCMINN, Chair

ATTEST:



SARAH M. THORNHILL, City Clerk