

# City of Prescott

## City Council - Voting Meeting



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April 14, 2026 | 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 3:08 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 provided updates on the many community events taking place in the month of April for Water Awareness Month, Earth Day, National Library Week, the ongoing Rodeo/Fairgrounds Master Planning meetings and the annual Whiskey Off Road weekend.

She also recognized City Attorney Joseph Young for being recently recognized in the Local Gov 250 & National Academy of Public Administration's 250 Public Service Champion program, honoring 250 public servants who have had an exceptional impact on their communities.

**4. INVOCATION - Pastor Lehvi Minder with Alliance Bible Church**

**5. PLEDGE OF ALLEGIANCE - Councilman Ruby**

**6. PROCLAMATIONS**

A. Earth Week 2026: April 16-22, 2026

Councilman Grady presented the Proclamation.

B. Stand with Me, Be Drug Free Week: April 20-24, 2026

Mayor Rusing presented the Proclamation.

C. National Library Week 2026: April 19-25, 2026

Councilwoman Frederickson presented the Proclamation.

## 7. OPEN CALL TO THE PUBLIC

A. Gary Stuart addressed the Council regarding Flock cameras and his contact with Senator Mark Finchem related to this matter. Citizens are not happy and there are thirteen private equity firms benefiting from money raised from these cameras, and facial recognition makes him feel unsafe and is an invasion of privacy.

B. Earl Duque addressed the Council regarding the scheduled meeting for the Master Plan being delayed to early June. That is not how this process was supposed to work. Data is being ignored which will increase the likelihood of a bad outcome, delaying meetings undermines the process and the data.

C. Michael Marchand addressed the Council regarding SR89 which has flipped from planning to execution. He asked the Council to look closely at design, flow, costs and schedule. They should trust but verify. He also encouraged a study into road closure limits.

D. Truly Bracken addressed the Council regarding environmental aspects of the Rodeo Master Plan being considered throughout the process. The existing basin is too small to remove the appropriate amount of runoff chemicals.

E. John Lutes addressed the Council regarding the construction of the Prescott Plaza Hotel, he is co-owner of Van Gogh's Ear Art Gallery adjacent to the project. Businesses like this are the allure to Prescott, and this project will negatively impact them even though there are positive aspects to the project. His big stop is the conversion of the public parking garage as a gift to the Prescott Plaza Hotel, they also have no site to stage construction on either.

F. Tony Hamer addressed the Council regarding "promises made, promises kept", he doesn't believe that the Council has a means of tracking their deliverables and priority projects. In early January Eye on Prescott presented an accountability tool to the Council, and are back as promised for their first quarter report. They did not share goals, metrics or key process indicators and therefore there is no way to measure performance. After reviewing campaign speeches and tracking their statements over the first quarter of the year. He stated that Councilman Ruby this week made a statement about the work he has done, but all other Council Members have defaulted on their promises.

G. Chad DeVries addressed the Council regarding a lack of transparency in the community and echoed the premise of "promises made, promises kept". Eye on Prescott is airing the meeting live for everyone to see, he recognized Councilmen Ruby and Gambogi for coming on their show and engaging directly with the public. He provided reviews of the members of the Council, they don't control the narrative the public does.

H. Levi Darby addressed the Council regarding postponement of the open meeting of the Rodeo Grounds Master Plan, he added that the consultants don't understand what is going on and didn't even include the Yavapai County Fair until this week.

I. Bonnie McMinn addressed the Council regarding a request to postpone the Stricklin Park meeting which is scheduled for April 15. She added that she drove to the site yesterday and the posted sign was just an 8.5x11 piece of paper on a stick, this is important.

J. Kenneth Goellner addressed the Council regarding his concern and opposition to flock camera system in the City of Prescott. He asked why there has not been a presentation regarding the cons of the system. He read from an email regarding the alleged violation of due process rights and privacy related to these systems.

## 8. **CONSENT AGENDA**

### **MOTION BY MAYOR PRO TEM FRUHWIRTH TO APPROVE CONSENT AGENDA ITEMS 8.A. THROUGH 8.E., EXCLUDING ITEM 8.D.; SECONDED BY COUNCILWOMAN FREDERICKSON: PASSED (7 - 0)**

- A. Approval of Meeting Minutes from the March 3, 2026 Special Study Session, the March 10, 2026 Study Session, the March 10, 2026 Voting Meeting, and the March 24, 2026 Special Council Meeting.
- B. Approval to Apply for and Accept Five (5) Arizona Governor's Office of Highway Safety Grants for Federal Fiscal Year 2027 as Follows: 1) \$42,000 for Impaired Driving; 2) \$42,000 for Police Traffic Services; 3) \$28,614 for Occupant Protection; 4) \$24,600 for Pedestrian and Bicycle Safety; and 5) \$9,279 for Accident Investigation. All Grants are Fully Funded by the Arizona Governor's Office of Highway Safety.
- C. Adoption of Resolution No. 2026-1981 Setting the Annual Policy for Contracts with City Officials and City Employees for 2026-2027.
- D. Approval of Appointment of Members to the Building Safety Advisory & Appeals Board and the Prescott Preservation Commission.

Councilman Gambogi commented that he pulled this item to inform everyone on who the appointees were.

City Clerk Sarah Thornhill read the names from the packet materials.

### **MOTION BY COUNCILMAN GAMBOGI TO APPROVE ITEM 8.D.; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (7 - 0)**

- E. **CSP26-001:** Proposed Comprehensive Sign Plan for the Ponderosa Professional Plaza for the Addition of a New 4ft x 6ft (24sf) Freestanding Directional Sign Within a Common Area of the Ponderosa Professional Plaza; Location: APN: 800-98-002U, 919 12th Place. Property Owner: Real Estate 12th Place. Applicant: Morgan Sign Company.
- F. Approval of City Purchase Order No. 2260597 with Musco Lighting using Sourcewell Project 199030, Contract Number 041123-MSL for Replacement of

Lights at Pioneer Park Hockey Rink in the Amount of \$192,000.00. Funds are Available in the Park Maintenance Operating Budget.

Mayor Rusing pulled this Item for further discussion and asked how tall the poles are going to be.

Deputy Recreation Services Director Tim Legler responded there will be four poles at 50 feet in height. There were multiple field visits related to this matter.

Members of the public Adrienne Carey and Stephanie Doss addressed the Council regarding the disarray of the rink as people who use it frequently. They encouraged the Council to approve all items that are brought forward.

**MOTION BY MAYOR PRO TEM FRUHWIRTH TO APPROVE ITEM 8.F.;**  
**SECONDED BY COUNCILMAN GRADY: PASSED (7 - 0)**

- G. Approval of City Purchase Order No. 2260583 with Drill Tech LLC for Emergency Repairs at Chino Well #5 in the Amount of \$83,190.23. Funding is Available in the Water Budget.

Councilman Ruby pulled this Item for further discussion. He stated that he did some research regarding the costs of this project and was concerned about pricing.

Utilities Manager Steven Olfers stated this was an emergency procurement project and there can be markup in those situations. He added that Drill Tech did the original drilling of the well. This is a pump that puts water back into the casing, and it needed to be repaired. Mr. Olfers added that getting this work done quickly for under \$100,000 is amazing and he is pleased that staff was able to address the issue quickly.

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE ITEM 8.G.;**  
**SECONDED BY MAYOR RUSING: PASSED (7 - 0)**

**9. CONSENT ORDINANCE**

- A. **CONTINUED ITEM:** Adoption of Retroactive Ordinance No. 2026-1935 Associated with a Citizen Petition Received by the Council at the December 9, 2025 Voting Meeting and Submitted by Charles K. Thomas.

**MOTION BY MAYOR RUSING TO ADOPT CONSENT ORDINANCE ITEM 9.A.;**  
**SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (7 - 0)**

- B. Adoption of Three (3) Ordinances Updating Bylaw Language in the Land Development Code Related to City of Prescott Boards, Committees, and Commissions as Follows: 1) Ordinance No. 2026-1939 (Planning and Zoning Commission); 2) Ordinance No. 2026-1940 (Prescott Preservation Commission); and 3) Ordinance No. 2026-1941 (Board of Adjustment).

Councilman Gambogi asked staff to provide general information regarding this item.

Planning Manager Alex Bramlette stated that this gets the LDC in alignment with the City of Prescott Code adopted by the Council.

City Clerk Sarah Thornhill confirmed and stated that the appendices in the land development code will now mirror the forming documents adopted by the Council earlier this year.

**MOTION BY COUNCILMAN GAMBOGI TO ADOPT CONSENT ORDINANCE  
ITEM 9.B.; SECONDED BY MAYOR RUSING: PASSED (7 - 0)**

**10. REGULAR AGENDA**

- A. **WSA25-060:** Water Service Application Submitted by Embry-Riddle Aeronautical University for a 16-Unit Campus Housing Project. Location: A Portion of APN 106-03-004, in T14N, R02W, Section 03, SE 1/4.

Water Resource & Environmental Services Manager Brian Ruiz provided a presentation to the Council regarding the water service application for new campus housing on the Embry-Riddle campus. Four residential buildings with sixteen total units, with an expected demand of 1.92 AF/year and .5 AF of landscape for a total of 2.62 AF/year. There is water within the budget for this project. He added that the plan does not include any real grass, just artificial turf.

Councilman Ruby asked about a good stormwater catchment system and stated that he would like to see Embry-Riddle set a good example for that with this project.

Embry-Riddle Facilities Director Brad Sinn addressed the Council regarding Councilman Ruby's statements. He stated that the school is interested in a stormwater catchment system, but they also have timelines for getting things done before the students arrive back on campus. They are looking into managing runoff and ensuring they meet their budget and timelines.

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE WSA25-060;  
SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (6 - 0 - 1)  
COUNCILMAN RUBY ABSTAINING**

- B. **WSA25-037:** A Water Service Application Submitted by James R Griset. Location: 136, 138, and 140 Montezuma Street, APN 109-02-014A.  
**This Item was discussed after Item 10.C.**

Water Resource & Environmental Services Manager Brian Ruiz provided a presentation to the Council regarding the water service application for the project on S Montezuma Street. Total demand for 47-room hotel with two bars and meeting rooms is estimated at 5.6 AF/year, there is no proposed landscape component. WIS recommended forwarding by vote of 1-1-1. Mr. Ruiz added that there is sufficient water for this project in the budget.

Mayor Rusing commented that this is a controversial project in the community and there is a lawsuit related to the project as well. She asked the legal

department whether this should be postponed. She also asked if there could be a stipulation included regarding structural engineering.

City Attorney Joseph Young responded that even if the WSA is approved, the project will still have to go through a permitting process for their next steps. So the lawsuit does not prohibit a vote on the water at this time. There is no need to postpone a vote, nor a legal requirement to do so. Structural engineering could be attached as a stipulation, but it is already part of the permitting process.

Attorney with Withey, Morris & Baugh Alex Hayes addressed the Council and reiterated that the item before the Council is the WSA. Use and design has been settled and the items related to permitting will be addressed at that time. They have no issue with a stipulation that requires items that would be part of the permitting process as part of the approval.

Councilman Garing asked if the result of a lawsuit would make the project different than what is before the Council today.

Mr. Young responded that it could. If the court determines that four-stories is not lawful, then that would require a redesign, but that does not impact this vote.

Councilman Gambogi commented that healthcare and the economy were big priorities in the resident survey and this project would be beneficial for the economy.

Community Development Director Chelsea Walton commented that per the international building code, structural engineering calculations and specifications are required. If the Council desires to do so, it could be a stipulation of the WSA as well.

Mayor Pro Tem Fruhwirth commented that there is concern regarding mitigation for the structures on either side of this project, so she wants to ensure that they will be covered.

Ms. Walton responded that excavation is covered in the international building code and the insurance is required to be submitted prior to permit issuance, so that ultimately, if something goes wrong, the property owner would be responsible. She added that, often in construction projects, unknown factors come up and when that occurs, a specific specialist (ie soils, engineering, etc) would go out to the site and address it. Also, generally with zero setbacks, there is a lot of communication with adjacent owners.

Mr. Hayes added that these are not unique situations in the construction world, and approving a WSA does not put the city at liability.

Mr. Young agreed, the liable party is the property owner.

Councilman Ruby asked if the demolition agreement could include details regarding any impacts to other businesses on Whiskey Row.

Mr. Young commented that the Council is getting off topic. He added that there is not a demolition "agreement" but, there are demolition requirements before the applicant can proceed.

Councilman Gambogi commented that this Council is trying to undo the vote of the previous Council. This item is about water and that hasn't even been discussed. The Council is here to approve the WSA and nothing else.

**MOTION BY MAYOR RUSING TO APPROVE WSA25-037 WITH STIPULATION THAT A STRUCTURAL ENGINEER DOES A FEASIBILITY STUDY PRIOR TO DEMOLITION AND IS ON SITE DURING CONSTRUCTION; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (6 - 0 - 1) MAYOR RUSING ABSTAINING**

- C. **WSA26-002:** Water Service Application Submitted by Commerce Construction Co, LP. Location: State Route 89 and Jenna Lane, APN 102-05-033H.  
**This Item was discussed before Item 10.B.**

Water Resource & Environmental Services Manager Brian Ruiz provided a presentation to the Council regarding the water service application. This site is just north of Pioneer Parkway for commercial and retail use projects in North Prescott. The total estimated demand is 20.3 AF/year with 5.1 AF of landscape for total of 27.9 AF. This project requires an appeal of the 1/2 water budget allocation rule and the applicant has requested it as part of approval. WIS recommended forwarding to the Council.

Councilman Ruby asked what happens to the water budget if this project is approved. He also asked about stormwater direction and conservation measures and if that is something that the Council could consider as part of this vote.

Mr. Ruiz responded that it will not impact the budget, with the appeal approval the water will simply be "set aside" and referenced at the end of the year. This item is for approval of the WSA and not specific conservation measures, however, he added that the area does have a stormwater retention facility that would have to meet all city requirements.

Jim Hardison with Construction Co added that the detention center is included in the design plan. He added that the conservation measure of allowing use of dry wells could be beneficial for the community as well and is something they are familiar with, however, that would require a change to city code. The contractors and developer are doing the best they can within their understandings of the code.

Councilman Ruby commented that this, as well as the previous application, showcase an urgent need to address how rainwater is used to recharge the aquifer.

Councilman Garing commented that there will be 10,000-15,000 new homes in this area, whether people like it or not, and those homes will need services nearby and this project is right where that will be needed. He added that underground storage for recharging stormwater should be considered.

Mayor Pro Tem Fruhwirth echoed Councilman Garing's comments about the need for this in North Prescott. She added that stormwater should definitely be looked at but should not hold up applications like this. She is very much in favor of this application.

Councilman Gambogi also echoed Councilman Garing's comments about the need for this project in the area and asked about how long construction will be.

Mr. Hardison responded that it will likely be 12-18 months.

Councilwoman Frederickson added that she is in support of this project.

Mayor Rusing commented that this will be the city's first commercial project since Trader Joe's and Costco so it has been awhile and this is definitely needed.

Councilman Grady stated that this project certainly meets the requirements for an appeal.

Thomas Cozzolino with Majestic Realty addressed the Council regarding the highlights of the positive points of this project.

Member of the public Walt Kosar addressed the Council regarding the excitement about the project. He commented that he was happy to hear a conversation about stormwater retention, and asked why treated effluent isn't used for landscaping, it would be a perfect use for it at that location and asked that the Council consider that.

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE WSA26-002;  
SECONDED BY COUNCILMEMBER RUBY: PASSED (7 - 0)**

- D. Adoption of Resolution No. 2026-1980 Declaring City-Owned Property Adjacent to the Prescott Regional Airport – Ernest A. Love Field be Included as Airport Lands.

Airport Director Rick Crider provided a presentation to the Council regarding property purchases surrounding the airport, this Resolution will allow for the land purchases to be included in the Airport Layout Plan (ALP). With grant funding at a minimum 76.5% of the expenses for these purchases has been recovered, likely up to 85.7% recovered. Will look at opportunities for appropriate development of the land.

Mayor Rusing asked about ensuring that the land included in the ALP is correct given previous issues, and asked if parcel legal descriptions should be included.

Mr. Crider confirmed that it would be.

**MOTION BY COUNCILMAN GARING TO ADOPT RESOLUTION NO. 2026-1980; SECONDED BY MAYOR RUSING: PASSED (7 - 0)**

**11. ADJOURNMENT**

There being no further business to discuss, Mayor Rusing adjourned the meeting at 5:34 p.m.

*Cathey Rusing*

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CATHEY RUSING, Mayor

ATTEST:

*Sarah M. Thornhill*

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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 April 14, 2026. I further certify the meeting was duly called and held and that a quorum was present.

*Sarah M. Thornhill*

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Sarah M. Thornhill, City Clerk