

# City of Prescott

## City Council - Voting Meeting



May 12, 2026 | 3:00 PM  
201 N Montezuma Street  
Council Chambers, 1st Floor  
Prescott, AZ 86301

### MINUTES

#### 1. CALL TO ORDER

Mayor Rusing called the meeting to order at 3:15 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

##### A. Announcements from Mayor Pro Tem Fruhwirth

Mayor Pro Tem Fruhwirth provided an update on community events taking place throughout the month of May and discussed holiday closures for Memorial Day weekend. Additionally, she reminded everyone that seasonal watering hours are in effect now through November 1 for city potable water customers. Outdoor spray irrigation is allowed only between 8:00 pm and 8:00 am to help conserve water and reduce evaporation. Further information regarding water conservation programs is available at [prescottwater.com](http://prescottwater.com)

##### B. Recognition & Moment of Silence Honoring Kendall Jaspers

Mayor Rusing recognized Kendall Jaspers.

#### 4. INVOCATION - Father Krzystof Pipa with Sacred Heart Roman Catholic Church

#### 5. PLEDGE OF ALLEGIANCE - Councilwoman Frederickson

#### 6. PROCLAMATIONS

A. National Police Week: May 11-16, 2026  
Councilman Gambogi presented the Proclamation.

B. National Public Works Week: May 17-23, 2026  
Councilman Garing presented the Proclamation.

#### 7. PRESENTATIONS

- A. Presentation Recognizing Dana Cohn  
Mayor Rusing provided a presentation and certificate recognizing Dana Cohn.

**8. OPEN CALL TO THE PUBLIC**

A. Andrew Nadell addressed the Council as an avid senior golfer regarding the Antelope Hills Golf Course and some of the issues that he has noticed with the course. The average is 5,000 yard t-boxes which makes getting par more attainable, but Antelope Hills is much longer than that.

B. Cheryl Nadell addressed the Council in support of Mr. Nadell's comments. Being able to reach a hole makes the game more fun, forward t's make the game more enjoyable and play with all different levels of players.

C. James Knaup addressed the Council regarding the weather and perfect for the ride-to-work day events on Friday. Would love to see city leadership involved in the event.

D. Timothy Brown addressed the Council regarding the Antelope Hills Golf Course where 87,000 rounds of golf were played last year and hosts over 60 annual events. As the Parks & Recreation Master Plan is underway he doesn't think that users of the golf course were not included in the survey.

E. Joseph Gouveia addressed the Council as President of the Board of Directors for the Antelope Hills Golf Course, they have 215 members and a wait list for membership as well. People enjoy the course.

F. Feather Levey addressed the Council regarding queer pride in Prescott and requested creation of more safe spaces for people in the community to gather.

G. Nancy Burns addressed the Council regarding Friendly Pines and her experience there as a child and into adulthood. She was surprised to hear that it is now operating as a for-profit organization, and she is going to look into the economic value of it.

**9. CONSENT AGENDA**

**MOTION BY COUNCILMAN GAMBOGI TO APPROVE CONSENT AGENDA ITEMS 9.A. THROUGH 9.C.; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (7 - 0)**

- A. Approval of Meeting Minutes from the April 27, 2026 Budget Workshop I, the April 28, 2026 Study Session, and the April 28, 2026 Voting Meeting.
- B. Approval of City Contract No. 2019-229A3, an Amendment to City Contract 2019-229 for a Six-Month Extension of the Intergovernmental Agreement (IGA) for Consolidated Court Operations between the City and Yavapai County.
- C. Approval of City Contract No. 2025-156A2, an Amendment to City Contract No. 2025-156 with Logan Simpson Design in the Amount of \$1,513,457.00 for

Additional Phase II Data Recovery Investigation for the Willow Creek Gravity Sewer Project. Funding is Available in the Wastewater Fund.

**10. CONSENT ORDINANCE**

- A. Adoption of Ordinance No. 2026-1944 Authorizing the Granting of a Utility Easement to Arizona Public Service Company.

**MOTION BY COUNCILMAN GAMBOGI TO ADOPT ORDINANCE NO. 2026-1944; SECONDED BY COUNCILMEMBER RUBY: PASSED (7 - 0)**

**11. LIQUOR LICENSE**

- A. Public Hearing and Consideration for a Owner Transfer Series 7 Beer and Wine Bar Liquor License Application from Thomas Francis Moore III, Applicant, for Back Alley Wine Bar. Location: 156 S Montezuma Street, #E.

**MOTION BY MAYOR RUSING TO CLOSE THE PUBLIC HEARING; SECONDED BY MAYOR PRO TEM FRUWIRTH: PASSED (7 - 0)**

**MOTION BY MAYOR RUSING TO APPROVE ITEM 11.A.; SECONDED BY MAYOR PRO TEM FRUHWIRTH: PASSED (7 - 0)**

**12. REGULAR AGENDA**

- A. Presentation & Discussion Related to Code Updates for Section 2-1-8 Regarding Sewer Requirements for Water Service.

Water Resources Manager Brian Ruiz provided a presentation regarding Code Section 2-1-8 regarding water outside city limits. Possible revisions will be focused on section B related to one single-family residential dwelling unit on a single parcel of land that connects to a city water main and a city sewer main. All wells on the parcel requesting city water and sewer services shall be abandoned through the Arizona Department of Water Resources (ADWR).

Issues:

- \* Policy has changed over the years regarding water outside of city limits
- \* These areas have existing water lines that service existing homes without service agreements in place
- \* Section 2-1-8 has created a patchwork of parcels served and not served in various neighborhoods
- \* Some properties have had water boxes installed at their property line
- \* Water Resources fields numerous inquiries annually and nearly all in these areas have no direct access to sewer
- \* These areas are within city service area

Concerns:

- \* Precedent setting
- \* Consistency and fairness
- \* New sewer return

Alternative Options:

- \* Drill a well
- \* Haul water
- \* Sewer reimbursement district
- \* Annexation

Research Objective:

- \* Explore alternatives for city water service to parcels without obligations in subdivisions and neighborhoods that the city currently serves outside city limits
- \* City staff prepared maps to determine
  - Water line locations outside city limits
  - Number of parcels adjacent to water lines and no sewer within 300'
  - Number of parcels already obligated to serve water subtracted out from analysis
  - Number of parcels that would benefit from this code change
  - Number of parcels that would benefit and are already accounted for in the Designated Assured Water Supply (DAWS)

Overall Map:

- \* 317 parcels already obligated to serve with Water Service Agreements
- \* 53 number of parcels potentially served water
- \* 19 parcels potentially served water within DAWS

Other Areas Reviewed:

- \* Granite Gardens
  - 1973 subdivision
  - Challenges with potential annexation
  - 29 potentially eligible lots and 21 in DAWS
  - Sewer potentially available
  - EPA concerns over septic issues
- \* Forbing Park
  - 1926 Subdivision
  - Challenges with potential annexation
  - 18 eligible lots
  - Sewer potentially available
  - Cesspool and PFAS issues, EPA and ADEQ potential projects

Proposed Requirements for Service:

- \* 53 potential lots
- \* Ability to connect to an existing city water main
- \* Sufficient water pressure and quantity to adequately serve the request
- \* Requestor is responsible for all costs of extending utility infrastructure necessary to serve the property
- \* Requestor would be responsible for all permitting requirements and impact fees associated with connecting
- \* Any existing well would need to be abandoned through ADWR
- \* Any additional lots created through lot splits after the adoption of the change will not qualify for the new exemption

City Benefits:

- \* Collection of impact fees
- \* Collection of 30% upcharge
- \* Conservation benefits due to 30% upcharge and city tiered water rate structure
- \* Potential increase in groundwater allowance for wells abandoned
- \* Potential for reduction of staff time in reviewing individual inquiries
- \* Clean up of areas with various water service status
- \* Long-term water management benefit of knowing and accounting for water obligation

Alternatives:

- \* Code revision with list of eligible parcels for water
- \* Water service contracts with individual parcels
- \* Code revision allowing Council to act on individual exemption requests
- \* Code revision with exemption language provided to WIS
- \* Do nothing and maintain current code, policy and procedures

Mayor Rusing said that she feels the code needs to be revised. People purchased these homes with water boxes, and they assumed they would have service. She read from the development agreement for Vista Del Cerro which would allow for future water service agreements. This issue is an unintentional consequence of the 2022 water policy.

Councilman Gambogi thanked staff for looking into this. It is a common sense solution that will allow Council to clear the decks of some issues that caused this to occur.

Councilman Garing asked the City Attorney for his thoughts on precedent. He echoed Councilman Gambogi's comments.

City Attorney Joseph Young said that is always a concern, particularly if the code language is too vague. What the Council determines to do and what the reasoning is will be important, need to be clear about why some properties would get an exemption and some will not.

Councilman Grady asked how many properties were eliminated. He is not decided at this time.

Mr. Ruiz said that they decreased the number from 164 to 53.

Mayor Pro Tem Fruhwirth stated that she appreciates the list decreasing, but her concerns regarding sewer remain at this time, so she is not a definite yes quite yet.

Councilwoman Frederickson stated that she would like to see some specific guardrails in place to make sure this doesn't snowball. She also wants specific language about what "adjacent" means for the water line and how staff takes that into consideration.

Mr. Young stated that "no others" language has not been drafted, but it would be clear that it would be for infrastructure that was built prior to 2022.

Mr. Ruiz stated that adjacent would mean they do not have to go through any other parcels to connect to a line.

Councilman Ruby thanked staff for putting this together, and asked how many different clusters there are that would meet the criteria for these connections.

Mr. Ruiz responded that there are approximately five clusters. He also discussed the cost estimates for Vista Del Cerro.

Subdivision Example - Vista Del Cerro:

- \* 1985 and 1989 Subdivisions
- \* Annexation potential - major challenges
- \* Sewer Cost Estimate - \$1,250,000
- \* Existing Connections - 39
- \* Unit 1 - Water Service Agreement
- \* Unit 2 - no agreement with 10 potentially eligible lots all in DAWS

Member of the public Kelsey Secor addressed the Council as one of the 53 lots that would fall under this category. This would allow them to be able to complete the build of their home. It doesn't make financial or reasonable sense for them to connect in order to meet the qualifications to connect to water service, they also cannot annex. They are asking for flexibility and common sense.

Member of the public Larry Fagan addressed the Council whose father developed Vista Del Cerro, he thanked the Council for looking into this issue. They wanted to connect sewer so it would be easier to sell the lots and the intent for water was clear but when the new rules were set up it negatively affected these types of properties.

Member of the public Lester Fournier addressed the Council and thanked them for listening. He was assured there was availability to connect to water but when he found out he could not he bought alternate property. Neighbors on both sides have water so the others should as well, the Council should improve Alternate 1.

Member of the public Howard Mechanic addressed the Council and expressed his support for decreasing the number of eligible properties that would qualify for this revision. He stated there should be an agreement that potable water cannot be used for outdoor use if they have water but no sewer, and added that there should be an in-lieu sewer fee so that the city is getting something in return for the water service. The city should get something in return for offering this as an option.

Mayor Pro Tem Fruhwirth asked for maps of every neighborhood for a future vote so it is clear where everything is located. She added that she agrees there should be other fees added on in order to offset these connections.

Councilman Ruby echoed Mayor Pro Tem Fruhwirth's comments.

Councilman Gambogi asked Council to provide direction to staff for which option.

Council consensus for staff to further look into Alternative 1 option.

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

- B. Adoption of Ordinance No. 2026-1943 and Resolution No. 2026-1983 Adopting the 2024 International Wildland Urban Interface Code.

Fire Marshal Anthony Valdez provided a presentation to the Council regarding the 2024 IWUIC Code for consideration. He reviewed the timeline to this point of staff's review and work on updates to the WUI Code. There have been several public engagement meetings during the process in order to engage stakeholders and general community input. Still working on putting together the city's risk model and will likely have a public facing GIS model so everyone can access where a particular parcel would fall.

Mayor Rusing asked about Section 505.2 regarding roof assembly and replacement of a roof with a Class A roof and certain shingles and also asked about sprinklers. She is in support of this.

Mr. Valdez responded those are accounted for and included, he added that referring back to the city fire code addresses the requirements for sprinklers.

**MOTION BY COUNCILMAN GAMBOGI TO ADOPT ORDINANCE NO. 2026-1943 & RESOLUTION NO. 2026-1983; SECONDED BY COUNCILMAN GARING: PASSED (7 - 0)**

**13. ADJOURNMENT**

There being no further business to discuss, Mayor Rusing adjourned the meeting at 5:21 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 May 12, 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