

PRESCOTT CITY COUNCIL
STUDY SESSION MEETING
TUESDAY, OCTOBER 25, 2016
PRESCOTT, ARIZONA

MINUTES OF THE STUDY SESSION MEETING OF THE PRESCOTT CITY COUNCIL
HELD ON OCTOBER 25, 2016, in the COUNCIL CHAMBERS located at CITY HALL,
201 SOUTH CORTEZ STREET, Prescott, Arizona.

1. CALL TO ORDER

Mayor Oberg called the meeting to order at 1:00 p.m.

2. ROLL CALL:

Present:

Mayor Oberg
Mayor Pro Tem Lamerson
Councilman Blair
Councilman Lazzell
Councilwoman Orr
Councilman Sischka
Councilwoman Wilcox

Absent:

None

3. DISCUSSION ITEMS

- A. Presentation on amendments to Land Development Code Article 6, Section 6.12. Signs, changing the method of calculating permitted permanent and temporary signs for commercial and residential zoning districts

George Worley, Community Development Planning Manager, presented. He said the Planning Division and Legal staff undertook a review of Prescott's sign regulations to assure that the City's code conformed to Constitutional protections of free speech. A key component of the protections was that regulation of signs (as with other forms of speech) must be based upon criteria other than the content of the message. The proposed revision of the sign regulations addressed important criteria and included a new approach to the way the Land Development Code (LDC) handled sign size and placement regulations.

Councilman Lazzell said the speed limit changed on Highway 69 and asked how that would affect signage. Mr. Worley said under the new code, as speed limits increased the size of signs increased.

Jon Paladini, City Attorney, said if the speed limits increased on a roadway, which pushed sign limitations into a larger category, the businesses on that roadway could install larger signs. If the speed limit decreased, the existing larger signs would be grandfathered.

Mr. Worley continued with the presentation. He spoke on temporary signs, which included political signs, yard sale signs or special event banners. He said temporary commercial signs were intended to act independently of permanent commercial signs. He said temporary signs were regulated regarding their temporary nature and not language. Temporary residential signs were intended to allow property owners the ability to display signs in residential areas with some very limited controls to prevent clutter and dilapidated or dangerous displays. Individual sign size was limited to a commonly used area of six square feet, but no limitation as to duration or number was proposed.

Councilwoman Wilcox said she noticed some signs were placed on permanent iron stakes or fence post stakes. She asked if a permit was required every time the signs changed. Mr. Worley said, yes.

Mayor Pro Tem Lamerson said there were regulations against placing signs that distracted drivers. Mr. Worley said that was correct. He spoke on three regulations that would not change: length of time signs were posted, placement of signs, and manner/hazard of signs. He said staff was trying to simplify the regulations.

Councilman Sischka asked about changing the method of calculating permitted and temporary signs. Mr. Worley said free standing signs would be calculated based upon visibility by moving traffic rather than the size of the building.

Councilman Sischka said he tried to review the amendments before the meeting but did not see any amendments on-line. He would like a copy of the code with proposed amendments.

Mr. Worley said the whole code was changing. He said the new code had been shortened and simplified. He said if a speed limit on the roadway in front of the business was 25 MPH, the sign limitation would be 24 square feet.

Mayor Oberg suggested placing a definition in the code regarding moving lighted signs.

B. Roundabout Presentation

Ian Mattingly, City Traffic Engineer, presented. He showed a video about roundabouts. He said the presentation was on the safety, capacity, and aesthetic benefits of modern roundabouts, including information on upcoming roundabouts in Prescott.

- Keys to Roundabout Success
 - o Slow entry speeds
 - o Appropriate number of lanes
 - o Smooth channelization
 - o Meeting needs of bikes and pedestrians
 - o Adequate accommodation for design vehicles
 - o Appropriate sight distance and visibility
- Key Roundabout Characteristics
 - o Counterclockwise circulation
 - o No need to change lanes to exit
 - o Yield signs at entries
 - o Can have more than one lane
 - o Geometric and physical features that force slow speeds

Councilwoman Wilcox asked if bike lanes continued through the roundabouts. Mr. Mattingly said, no. He said bicyclists become a pedestrian (dismounted and walked through) to move through the roundabout. He said usually ramps/sidewalks would be built around the area for bicyclists to access.

Councilwoman Wilcox said she would like to see public art placed in the roundabouts. She thought it would be an appropriate use of the street funds to fund public art in the roundabouts.

Councilman Blair said the reason for the roundabout at Phippen museum was to slow traffic entering the Granite Dells. He said the roundabout was for public safety and slowing traffic due to major road infrastructure changes that would happen in the future.

Councilman Sischka asked how people could be educated on driving through roundabouts. He said some roundabouts do not have a lot of traffic and people drive on through without stopping. He said the roundabout at Deep Well Ranch was used heavily and people do not stop or yield to oncoming traffic. He said Deep Well Ranch was an accident waiting to happen and asked how the situation could be alleviated. Mr. Mattingly said staff would research available educational opportunities. He said navigating through a roundabout took common sense and following traffic laws.

Councilwoman Orr suggested placing the video and educational information on the City's website. She said the roundabouts needed to be properly engineered.

Mr. Mattingly continued with the presentation.

- Benefits of roundabouts
 - o Reduced total crashes by 35%, injury crashes by 76% and fatalities by 90%
 - o Operational performance
 - o Eliminated high speed right-angle and head on collisions
 - o Eliminated left-turn movements across opposing traffic lanes
 - o Severe, incapacitating injuries and fatalities were rare

- o Traffic calming
 - o Pedestrian safety
 - o Lower operating and maintenance costs than a traffic signal
 - o Less noise and fewer air quality impacts
 - o More efficient access management
 - o Offers pleasing aesthetics
 - o Safer for Emergency Vehicles
- Location Considerations
 - o Serious consideration should be performed anywhere a traffic signal or stop control was being considered
 - o Use at intersections with high delay
 - o Rural intersections
 - o New residential subdivision
 - o Corridors and Gateways

Mr. Mattingly provided an update on Side Road Connector Roundabout – SR89 Widening Project. He said the project would provide a new five lane widening of SR89, future arterial connection to Granite Dells Parkway and Larry Caldwell Drive, trailhead parking access, improved access to Phippen museum and improved safety for SR89.

Councilman Lazzell asked about the contribution to the larger project. Mr. Mattingly said the SR89 project section was the City's responsibility. He said the City's project would cost approximately \$3.5 million, which provided for one mile widening of SR89. He said ADOT built the Chino connection to Deep Well Road (\$15 million) and would be constructing the section from Deep Well Road past the airport (\$10 million).

Councilwoman Wilcox asked what was planned for the land between the end of Walden Ranch boundary and the beginning of Granite Dells Estates. Mr. Mattingly said currently there was no funding source, but the department was still planning, and reserving right-of-ways for regional connectors.

Mr. Mattingly continued with the presentation:

- Roundabouts should be considered whenever an intersection required enhanced controls
- Roundabouts provided safety and operational benefits compared to other types of intersections
- Location, types of users, and operations should be analyzed when designing a roundabout
- Design elements work together to provide desirable safety and operational characteristics

Mr. Mattingly said the ADOT project near the airport proposed a roundabout at Perkins.

Councilwoman Orr said the roundabouts could be beautiful entrances and exits to Prescott.

Mayor Oberg thought roundabouts cost more to build than maintain. Staff said that was correct. Mayor Oberg talked about proper design of roundabouts to accommodate future transportation modes.

Councilman Sischka suggested placing art/monuments depicting early settlers in the roundabout at Phippen.

Councilwoman Orr asked about the width of the Phippen roundabout. Mr. Mattingly said it was an approximate diameter of 200 ft.

C. Council discussion of the City's liquor license fees

Mayor Oberg gave a brief history of the liquor license fees.

Councilman Lazzell said in 2016 the liquor license fees collected were moved from the General Fund to the Tourism Fund. He said during budget discussions he asked if the liquor license fees were removed from the Tourism budget would the department survive. He was told, yes. He thought the monies were intended to pay for public safety. He felt the monies being collected were not being used sensibly. He said the Tourism department spent more on advertising and marketing than what was collected. He was not against having a one-time application fee, but opposed the annual re-occurring fee.

Jon Paladini, City Attorney, said the law required the City to dedicate the tax collected to tourism promotion.

Councilwoman Wilcox said the General Fund was getting squeezed more and more, which forced the Council to look at other sources of funding. She said the bed tax was being looked at to see if those monies could support public safety, support for events, and related tourism activities. She said it was important to continue the annual liquor license fees.

Councilwoman Orr felt it was important to look at what the fees supported. She said the return on investment was 3 to 1 and indirectly 7 to 1. She said tourism was a big part of Prescott and supported continuing the liquor license annual fee.

Councilman Sischka talked about the downtown businesses benefitting from tourism. He wanted to work together to make it work for everyone.

Councilman Blair said when the bed tax increased, spending increased. He said if the \$70,000.00 was removed from the tourism budget, the spending would adjust accordingly. He said the tax was not voted on by the people to strap a certain group of people. He did not support taxing a certain group of people.

Mr. Woodfill said the \$70,000.00 had always gone to offset the cost of the tourism department. He said prior to 2016 the funds were in the General Fund. He said in 2016 Council moved all the tourism funds to the bed tax fund.

Councilwoman Orr said Prescott competed for tourism with surrounding cities. She said the City needed to do everything it could to bring tourists to the community.

Councilman Sischka asked if the fee was eliminated today, would the City refund any money. Mr. Woodfill said, no. He said the renewal date was January 1 and if the fee was eliminated it would go into effect January 1.

Mr. Woodfill said the bed tax budget for 2017 was estimated at \$820,000.00, which was \$20,000.00 over the 2016 ending budget; and \$140,000.00 over the estimated budget for 2016. He also said movement of the liquor license fees into the bed tax fund increased costs.

Mayor Pro Tem Lamerson said this was a discriminatory tax. He was disappointed that over the last 12-14 years the City had not been able to designate a sustainable funding source for public safety. He said it was time to have a discussion on how to fund public safety.

Mayor Oberg said surrounding towns and cities spent considerable more than Prescott on tourism. He said the money received from liquor license fees, then spent on promoting tourism, directly benefitted the liquor industry. He felt the fee was payment, from the liquor industry, to help support tourism. He preferred to have a sustainable funding source for public safety. He said if a flat fee was determined in the future he would support eliminating the license fee.

Councilman Blair asked what the bed tax percentage was for surrounding cities.

Don Prince, Tourism Director, said the bed tax in Sedona was 3.5% and Flagstaff had a Bed, Breakfast and Booze tax of 5%.

Dave Michelson, Palace Restaurant and Saloon owner, asked why the bar owners were singled out. He said if the fee would be collected from every retail business he would not be complaining. He said every business in Prescott benefited from tourism.

Brad Christensen, hotel owner, believed in the City's tourism program, but did not understand why the bars were the only ones paying a fee. He saw evidence of tourism success every day. He wanted to work towards finding a solution that worked for everyone.

Councilman Sischka asked if monies were accumulating in the tourism fund and how much money was needed for reserves. Mr. Woodfill said approximately \$313,000.00

rolled forward. He said the policy for the General Fund was to keep 20% in reserves. He said the Council decided the reserve amount during budget discussions.

Mayor Oberg thought the fund needed to have reserves. He said the reserves would help off-set fees in the future or be used towards qualified projects.

Tommy Meredith, Jersey Lilly owner, thought the City had no right to the money. He said the liquor license fee was a discriminatory tax against the liquor license industry. He said he was told once the business license fee was in effect the liquor license fee would go away. He would like to work on a better solution.

Councilman Blair said he would like further discussions on possible ways to use the tourism funds to fund public safety and to come up with a solution that worked for everyone.

Councilwoman Orr said she would like for the liquor license annual fee program to continue until a better solution had been suggested.

Mayor Oberg agreed. He said it was two months before the fee would be collected and would like to see what solutions staff might suggest.

Michael Lamar, City Manager, agreed future discussion with all interested parties needed to happen.

D. Requests for information re the October 25, 2016, Voting Meeting agenda items

This item was not discussed.

4. ADJOURNMENT

There being no further business to be discussed, the Study Session Meeting of October 25, 2016, adjourned at 2:42 p.m.

HARRY B. OBERG, Mayor

ATTEST:

DANA R. DeLONG