



PRESCOTT CITY COUNCIL
VOTING MEETING AGENDA
** AMENDED*
ACTION TAKEN

**PRESCOTT CITY COUNCIL
PUBLIC MEETING
DECEMBER 12, 2006
3:00 P.M.**

**Council Chambers
201 S. Cortez Street
Prescott, AZ 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its Regular Voting Meeting pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

CALL TO ORDER

INTRODUCTIONS AND PLEDGE OF ALLEGIANCE: Councilman Lamerson

ROLL CALL:

MAYOR AND CITY COUNCIL:

Mayor Simmons
Councilman Bell
Councilman Blair
Councilman Lamerson

Councilman Luzius
Councilman Roecker
Councilwoman Suttles

SUMMARY OF CURRENT OR RECENT EVENTS

NOTE: Anyone wishing to speak regarding an item on the agenda must address the Council using the microphone at the podium.

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. WITH 48 HOURS ADVANCE NOTICE, SPECIAL ASSISTANCE CAN BE PROVIDED FOR SIGHT AND/OR HEARING IMPAIRED PERSONS AT PUBLIC MEETINGS. PLEASE CALL 777-1272 OR 777-1100 (TDD) TO REQUEST AN ACCOMMODATION TO PARTICIPATE IN THIS MEETING.

I. PUBLIC COMMENT

- A. James Oleary – Public safety re stop light installation.

II. PRESENTATIONS

- A. State Representative Lucy Mason re her recent appointment as Chairman of the State Legislature’s Water and Agriculture Committee.
- B. Presentation to the City Council by Brianna Vicente, Prescott High School Junior Class Student Council Vice President.
- C. Presentation by Prescott Area Coalition of Tourism.
- D. Presentation by Big Brothers Big Sisters.
- E. Presentation on FY2006 CAFR (Comprehensive Annual Financial Report) & Bond Rating.
- F.* *Presentation by City Manager of Raving Fan Awards to Library Employees.***
- G.* *Introduction of New Police Department Employees.***

III. CONSENT AGENDA

CONSENT ITEMS A THROUGH F LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

ACTION: MOTION TO ADOPT CONSENT AGENDA ITEMS III-A THROUGH III-F – PASSED; UNANIMOUS.

- A. Approve contract with AppleBee Roofing for roof repair services in an amount not to exceed \$30,988.53.
- B. Approve acceptance of a Homeland Security Grant in the amount of \$87,800.00 for all hazards preparedness.
- C. Authorize entering into a contract with Wil and Deborah Baril (Café Libre) for the purpose of providing coffee and refreshment services at Prescott Public Library.
- D. Adopt Resolution No. 3787 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into an amendment to Intergovernmental Agreement #03-087 with the Prescott Unified School District (PUSD) for maintenance and use of certain properties belonging to PUSD and the City of Prescott to provide for joint maintenance of

that certain property commonly known as the Community Nature Center and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

- E. Approve purchase of vehicles listed in the Council Memo dated November 29, 2006, (eleven vehicles in total) through the Arizona Counter Drug Procurement 1122 Program for an amount of \$240,179.39.
- F. Approve Minutes of the Prescott City Council Special Meeting of November 21, 2006 and the Prescott City Council Study Session of November 21, 2006.

IV. REGULAR AGENDA

- A. Adoption of Resolution No. 3790 Approving the First Amendment to the Economic Development Agreement with Lowe's.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3790 – PASSED; 6-1 – COUNCILMAN LUZIUS OPPOSED.

- B. Public Hearing and consideration of a liquor license application from Fady Masri, Agent for A & N Arizona Enterprises, Inc., for a new Series 10, Beer and Wine Store, license for Prescott Quick Stop located at 447 S. Montezuma Street.

ACTION: MOTION TO CLOSE PUBLIC HEARING – PASSED; UNANIMOUS.

ACTION: MOTION TO APPROVE A LIQUOR LICENSE APPLICATION FROM FADY MASRI, AGENT FOR A & N ARIZONA ENTERPRISES, INC., FOR A NEW SERIES 10, BEER AND WINE STORE, LICENSE FOR PRESCOTT QUICK STOP LOCATED AT 447 S. MONTEZUMA STREET – PASSED; UNANIMOUS.

- C. Public Hearing and adoption of Resolution No. 3788 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the General Plan Land Use Map pertaining to that certain property located on the Southeast corner of Willow Creek Road and Pulliam Drive described as Parcel No. 116-15-011A, Lot 1, Oak Knoll Second Subdivision from Residential to Mixed Use in the City of Prescott.

ACTION: MOTION TO CLOSE PUBLIC HEARING – PASSED; UNANIMOUS.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3788 – PASSED; 6-1 – COUNCILMAN LUZIUS OPPOSED.

- D. Public Hearing and adoption of Resolution No. 3789 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the General Plan Land Use Map pertaining to that certain property located adjacent to Willow Creek Road and south of Flora Street described as Parcel No. 116-17-270B, consisting of approximately 2.3 acres along the western portion of said parcel from Low-Medium Density Residential to Commercial within the City of Prescott.

ACTION: MOTION TO CLOSE PUBLIC HEARING – PASSED; UNANIMOUS.

ACTION: MOTION TO ADOPT RESOLUTION NO. 3789 – PASSED; 4-3 – COUNCILMEN LAMERSON, LUZIUS AND ROECKER OPPOSED.

- E. Public Hearing on annexation of .927 acres owned by Williams, Hollyer and Woods, located west of White Spar Road at Peterson Lane, with R1L-12 County zoning (APN 107-09-017A, 107-09-017B and 107-09-013A). (ANX06-001)

ACTION: MOTION TO CLOSE PUBLIC HEARING – PASSED; UNANIMOUS.

- F. Public Hearing on annexation of 9.7 acres of City-owned land located north of Limberlost Lane and south of Clubhouse Drive, with R1L-12 County zoning (APN 107-04-038 and 107-04-039). (ANX06-003)

ACTION: MOTION TO CLOSE PUBLIC HEARING – PASSED; UNANIMOUS.

- G. Recess into Executive Session.

ACTION: MOTION TO RECESS INTO EXECUTIVE SESSION – PASSED; UNANIMOUS.

V. EXECUTIVE SESSION

- A. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may demand that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting pursuant to A.R.S. Section 38-431.03(A)(1)

1. Annual evaluation of City Magistrate Arthur Markham.
- B. Discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation pursuant to A.R.S. Section 38-431.03(A)(4)
 1. Home Builders Association of Central Arizona v. City of Prescott; Town of Prescott Valley.

VI. POST EXECUTIVE SESSION

- A. Consider annual salary/employment agreement for City Magistrate Arthur Markham.

ACTION: MOTION TO APPROVE A TWO-YEAR CONTRACT WITH CITY MAGISTRATE ARTHUR MARKHAM, IN THE AMOUNT OF \$60,050.00 FOR THE 2007 CALENDAR YEAR, WITH A FOUR-PERCENT INCREASE COMMENCING JANUARY 2, 2008 FOR THE 2008 CALENDAR YEAR, AUTHORIZING THE CHANGE OF THE CONTRACT FROM AN EMPLOYEE CONTRACT TO AN INDEPENDENT CONTRACTOR CONTRACT, AND AUTHORIZING THE MAYOR AND STAFF TO PREPARE ALL NECESSARY DOCUMENTS – PASSED; UNANIMOUS.

VII. ADJOURNMENT