



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

**PRESCOTT CITY COUNCIL  
PUBLIC MEETING  
MAY 8, 2007  
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 Bell

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. PROCLAMATIONS**

- A. May 6 – 12, 2007 – *Youth Week*

**II. PRESENTATIONS**

- A. Presentation by Tim Hedrick, Prescott Swim Team, regarding a community pool.
- B. Update on the Elks Opera House by Elks Opera House Foundation President, John Olsen.
- C. Presentation to Michelle Stacy.

**III. CONSENT AGENDA**

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

***ACTION: MOTION TO APPROVE THE CONSENT AGENDA ITEMS III-A THROUGH III-K, PASSED – UNANIMOUS.***

- A. Adopt Resolution No. 3816 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, in support of the Essential Air Service application for the Prescott Municipal Airport of Mesa Air Group to the United States Department of Transportation.
- B. Approve application to the Governor's Office of Highway Safety for FY2008 grant funds in the amount of \$44,350.00 for the continued operation of the Northern Arizona DUI Task Force.
- C. Adopt Resolution No. 3814 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Right-of-Way Agreement with the State of Arizona, Arizona State Land Department, for the Glassford Hill Public Safety Communication Tower Site, which is attached hereto, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- D. Adopt Resolution No. 3815 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Commercial Lease Agreement with the State of Arizona, Arizona State Land Department, for the Northwest Tank Public Safety Communication Tower Site, which is attached hereto, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

- E. Award contract for disposition of recyclable materials to Norton Environmental at the rate of \$10 per ton.
- F. Adopt Resolution No. 3813 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona amending Resolution Number 3389, by amending the Intergovernmental Agreement approved therein to allow for additional work performed at the request of the City of Prescott and authorizing payment therefor.
- G. Adopt Ordinance No. 4591 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona abandoning a portion of unused and unimproved right of way located within the Forbing Park subdivision, and retaining any necessary public utility easements, which property is generally described as a portion of the unimproved Oak Street right of way and authorizing the Mayor and City staff to take all necessary steps to effectuate such abandonment.
- H. Authorize staff to negotiate a contract for boat rental concession services with Prescott Outdoors, L.L.C.
- I. Award bid for the FY07 Small Water Main Replacement Project to Tonto Supply, Inc. in the amount of \$798,460.00.
- J. Tuscan Village:
  - 1. Approve Preliminary Plat for Tuscan Village, a Planned Area Development subdivision containing 12 lots on 1.41 acres; property is located on First Street and Navajo Drive; owner is Area Homes (Ralph Burleson & Jan Hogenhout), APNs are 113-03-015B, 016, 024B & 041A.
  - 2. Approve Water Service agreement with Area Homes for 4.2 acre feet annually for Tuscan Village.
- K. Approve Minutes of the Regular Voting Meeting of the Prescott City Council held on April 24, 2007, and the Study Session of the Prescott City Council Held on May 1, 2007.

#### IV. REGULAR AGENDA

- A. Acceptance of a REDI/Main Street Marketing and Advertising Grant from the Arizona Department of Commerce in the amount of \$9,750.00.

**ACTION: MOTION TO ACCEPT THE ARIZONA DEPARTMENT OF COMMERCE GRANT AWARD Q044-07-03 IN THE AMOUNT OF \$9,750.00; PASSED – UNANIMOUS.**

- B. Public Hearing and approval of the FY2007 CDBG (Community Development Block Grant) Annual Action Plan for submittal to the US Department of Housing and Urban Development.

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING, PASSED – UNANIMOUS.**

**ACTION: MOTION TO APPROVE THE FY2007 CDBG ANNUAL ACTION PLAN, PASSED – UNANIMOUS.**

- C. Public Hearing and consideration of an application for a Bingo License submitted by the Adult Center of Prescott, Inc. located at 1280 B East Rosser Street, Prescott, Arizona.

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING, PASSED – UNANIMOUS.**

**ACTION: MOTION TO APPROVE AN APPLICATION FOR A BINGO LICENSE SUBMITTED BY THE ADULT CENTER OF PRESCOTT, INC. LOCATED AT 1280B EAST ROSSER STREET, PRESCOTT, ARIZONA; PASSED – UNANIMOUS.**

- D. Continuation of Public Hearing and consideration of a liquor license application from Hector Evaristo Gonzalez, agent for H.D.H.R.L.G. Group, L.L.C., for a new Series 10, Beer and Wine Store, License for Tri J Market and Deli located at 701 E. Gurley Street.

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING, PASSED – UNANIMOUS.**

**ACTION: MOTION TO APPROVE A LIQUOR LICENSE APPLICATION FROM HECTOR EVARISTO GONZALES, AGENT FOR H.D.H.R.L.G. GROUP, L.L.C., FOR A NEW SERIES 10, BEER AND WINE STORE, LICENSE FOR TRI J MARKET AND DELI LOCATED AT 701 E. GURLEY STREET; PASSED 6-1, COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.**

- E. Public Hearing and consideration of a liquor license application from Sheryl Eileen Strong, Agent for Prescott Kitchen, LLC, for a New, Original Series 12, Restaurant, License for the Firehouse Kitchen, to be located at 220 West Goodwin Street.

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING, PASSED – UNANIMOUS.**

**ACTION: MOTION TO APPROVE A LIQUOR LICENSE APPLICATION FROM SHERYL EILEEN STRONG, AGENT FOR PRESCOTT KITCHEN, LLC, FOR A NEW, ORIGINAL SERIES 12, RESTAURANT, LICENSE FOR THE FIREHOUSE KITCHEN, TO BE LOCATED AT 220 EAST GOODWIN STREET; PASSED – UNANIMOUS.**

- F. Public Hearing and consideration of a liquor license application from Alain Marcel De La Cruz, Agent for De La Cruz, Alain Marcel, ETAL, for a New, Original Series 12, Restaurant, License for Sweettart, located at 123 North Cortez Street.

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING, PASSED – UNANIMOUS.**

**ACTION: MOTION TO APPROVE A LIQUOR LICENSE APPLICATION FROM ALAIN MARCEL DE LA CRUZ, AGENT FOR DE LA CRUZ, ALAIN MARCEL, ETAL, FOR A NEW, ORIGINAL SERIES 12, RESTAURANT, LICENSE FOR SWEETTART, LOCATED AT 123 NORTH CORTEZ STREET; PASSED 6-1, COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.**

- G. Adopt Ordinance No. 4592 - An ordinance of the Council of the City of Prescott, Yavapai County, Arizona approving and authorizing the sale and issuance of City of Prescott, Arizona General Obligation Bonds, Series 2007, in the total aggregate principal amount of \$1,510,000 and all matters related thereto; awarding contract for the purchase of such bonds; ratifying the distribution of a Preliminary Official Statement; approving a Final Official Statement and declaring an emergency.

**ACTION: MOTION TO ADOPT ORDINANCE NO. 4592, PASSED – UNANIMOUS.**

H. Park West Commercial Center:

1. Public Hearing

**ACTION: MOTION TO CLOSE THE PUBLIC HEARING,  
PASSED – UNANIMOUS.**

2. Adoption of Ordinance No. 4593 - An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona amending the zoning of certain property within the City of Prescott located on the southeast corner of Willow Creek Road and Pioneer Parkway and described as APN Parcel No. 106-02-001N from RE2 (Rural Estate) to BR (Business Regional) zoning.

**ACTION: MOTION TO ADOPT ORDINANCE NO. 4593,  
PASSED 6-1, COUNCILMAN LUZIUS CASTING  
THE DISSENTING VOTE.**

- I. Approval of Final Plat for Enchanted Canyon Estates, a Planned Area Development containing 72 residential lots on 67.28 acres; property is located south of Iron Springs Road and west of Downer Trail; owner is John Finn; APNs are 115-10-024U & 115-10-024X.

**ACTION: MOTION TO APPROVE THE FINAL PLAT FOR  
ENCHANTED CANYON ESTATES, A PLANNED AREA  
DEVELOPMENT CONTAINING 72 RESIDENTIAL LOTS  
ON 67.28 ACRES LOCATED SOUTH OF IRON SPRINGS  
ROAD AND WEST OF DOWNER TRAIL, WITH THE  
FOLLOWING CONDITIONS: (1) COMMON AREA AND  
TRACT C TO BE REZONED TO NATURAL OPEN SPACE;  
(2) PROVIDE APPROPRIATE FENCING AROUND LOTS  
13, 14, 15 AND 17 AS THEY ADJOIN TRACT C WITHIN  
ONE YEAR OF RECORDATION OF THE FINAL PLAT;  
(3) BUILDING PERMITS WILL NOT BE ISSUED PRIOR TO  
COMPLETION OF THE EAST-WEST CONNECTOR; AND  
(4) A ROCK CRUSHER MAY BE OPERATED ON SITE  
MONDAY THROUGH FRIDAY, 8 AM TO 3 PM; PASSED 6-  
1, COUNCILMAN LUZIUS CASTING THE DISSENTING  
VOTE.**

V. ADJOURNMENT