

PRESCOTT, ARIZONA
SPECIAL COUNCIL MEETING
SEPTEMBER 25, 2007

A SPECIAL COUNCIL MEETING OF THE PRESCOTT CITY COUNCIL WAS HELD ON TUESDAY, September 25, 2007, in the Council Chambers at the Prescott Municipal Building, 201 Cortez Street, Prescott, Arizona.

I. Call to Order.

Mayor Simmons called the meeting to order at 1:32 p.m.

II. Roll Call.

MAYOR AND CITY COUNCIL:

Mayor Simmons	None
Councilman Bell	
Councilman Blair	
Councilman Lamerson	
Councilman Luzius	
Councilman Roecker	
Councilwoman Suttles	

III. Presentation and Discussion of Photo Enforcement.

Lieutenant Andy Reinhardt gave a PowerPoint presentation, which included presentations by Dr. Simon Washington from Arizona State University, Dick Baranzini from the City of Scottsdale, and Sergeant Wayne Nelson from Prescott Valley Police Department, all included in Exhibit A attached hereto and made hereof.

Councilwoman Suttles said that there seem to be huge concerns that this is a revenue-maker, and asked how they get that accepted by the public. Dr. Washington said that part of it is having everything accessible. He said that when he attended the Scottsdale City Council meeting at which they approved the program, they also voted that all of the revenue generated would be distributed to public safety, for public education and safety programs.

Councilman Lamerson said that he has never been opposed to using technology to assist officers; he was opposed to innocent people being ticketed and having no recourse.

Councilman Lamerson asked Mr. Kidd if citizens are allowed to break the laws in the State or Federal Constitutions. Mr. Kidd replied that there is nothing in the Constitution allowing people to break the laws, and there is nothing prohibiting the use of technology.

Councilman Lamerson said that the Police Chief has heard him complain about speed and people running red lights. They've asked how many officers they would have to use to keep the citizens safe. He asked if this is a tool that could be used by the officers to assist in those efforts. Chief Oaks said that if they asked him to reduce collisions by 20-25% citywide, he is not sure he could accomplish that even if his manpower was doubled.

Councilman Lamerson said that it was his understanding that all of the surrounding areas along with Prescott have adopted similar fines. Judge Markham replied that was correct; all of the jurisdictions have adopted uniform schedules for violations. He said that it was not to raise revenues, but to discourage that behavior.

Councilman Roecker said that they are not changing anyone's behavior. As soon as the cameras are turned off, people resume their old behavior.

Sergeant Nelson said that in January of 2007 they issued 1634 red light warnings; it went down to 836 in February and this past July, they issued 25 red light violations. He said that on September 21 ADOT gave permission for the van to begin working on State Route 69.

Chief Oaks said that they would like to affect a serious reduction in the City, to reduce the percentage of injuries. They are committed to doing something. They are correct that they are not interested in a revenue stream, but there will be costs. He said that with any vendor the tickets have to be reviewed by either the vendor or the police department, and it is his opinion that his department should review every violation. It is his belief that it can be structured to be cost-neutral. He would ask that the vendor provides the City enough to cover personnel costs and program costs.

Councilman Lamerson said that he has been an advocate for public safety and he firmly believes that they owe it to their taxpayers to keep them safe. He said that if this type of product doesn't violate anyone's personal property rights or the Constitution he supports it.

Councilman Blair stated that he sees that there are many intersections in the community that are poorly marked, and he asked if that will be addressed as well. Chief Oaks said that the City's traffic engineer does review the police reports and officers' reports and collects data on intersections.

Councilman Blair asked if the picture will identify the driver. Chief Oaks replied that it will.

Councilman Roecker said that the only way to fix this is through education. If they are going to do this they should make money and use that money for education.

Jan Bryan, who lives on Copper Basin Road, said that she votes for taking back the streets now. Their street is posted at 25 mpg, but the average speed is 45 and some people do more than 50. She said that there is a lack of regard for safety and quality of life. She said that they have kids waiting for school buses, she's been passed on a double yellow line and has been cursed at for obeying the speed limit, not to mention the wildlife along the roadway.

John Starbuck, Idylwild Road, said that if they are going to make money, make money and put it to the education. He said they need to change the attitudes of the teenagers. He said that in Mexico their green lights flicker faster and faster before they turn yellow; perhaps they should try that here. He questioned the length of time the lights remain yellow before turning red. He said that he thinks there should be a correlation between the length of time for the yellow light and the speed, but he doesn't see that occurring. He said that he was against photo radar because he thinks it is an extension of "big brother" but if they can make money to put toward education, he'd support it.

Sergeant Nelson replied that the timing of yellow lights is set by the Feds. In Prescott Valley they are anywhere from three to six seconds. In Prescott Valley they are timed based on how long the light can be seen.

Bob Ruillard commended the Council for taking a proactive approach. He said that he very much agrees with Councilman Blair, that there are things that can be done at some of the dangerous intersections. He said that the mobile units are most desirable. In his area, the road is a cut through to get away from Mount Vernon and the average speed in there is around 47 mph.

Councilman Luzius asked if the mobile units work that well at intersections. Chief Oaks said that they do record speed, not the red lights, but they do record similar information. Councilman Luzius said that it would seem best to go both ways. His understanding was that yellow means to clear the intersection.

Edward Cowen said that the yellow lights are his concern. He said that he went through the intersection at Gurley on a yellow light and it was two seconds before it turned red. They need to make the timing for yellow lights reasonable.

Chief Oaks clarified that if someone enters the intersection prior to the light turning red, they would not get a ticket.

Ellie Lomack said that she is not for or against the program, but she is concerned with spending money that may be thrown away. She said that in Minneapolis they instituted the camera system, but recently there have been court cases and they have had to stop using them. She said that she was not aware of the premise for it, but it should be looked into. She said that they need to be sure that this is a system that will hold up in court. Dr. Washington said that he was not aware of an entire system being thrown out, but there will always be court cases. He said that it may

have been the issue of whether Minnesota is a registered owner or driver's license state.

IV. Adjournment

There being no further business to be discussed, the Special Meeting of the Prescott City Council held September 25, 2007, adjourned at 3:04 p.m.

ROWLE P. SIMMONS, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk