

PRESCOTT CITY COUNCIL
JOINT STUDY SESSION/
REGULAR COUNCIL MEETING
PRESCOTT, ARIZONA
DECEMBER 18, 2007

A JOINT STUDY SESSION/REGULAR VOTING MEETING OF THE PRESCOTT CITY COUNCIL WAS HELD ON TUESDAY, DECEMBER 18, 2007, in the Prescott Municipal Building, 201 S. Cortez Street, Prescott, Arizona.

CALL TO ORDER

Mayor Wilson called the meeting to order at 3:00 p.m.

INTRODUCTIONS AND PLEDGE OF ALLEGIANCE: Participants of the *We the People...The Citizen and the Constitution High School Competition*.

Mayor Wilson acknowledged Gheral Brownlow, past County Supervisor, in the audience and said he hoped he was doing better.

Participants of the *We the People...The Citizen and the Constitution High School Competition* led the Council and audience in the Pledge of Allegiance.

I. PROCLAMATION

- A. December 18, 2007 – *We the People...The Citizen and The Constitution High School Competition Day*.

Councilman Luzius said that two Saturdays ago he and Councilman Roecker judged the above competition, and the young men and women who participated are from Prescott High School and will be going on to the State Competition to be held in Phoenix on January 11. He invited Lora Lopas up to join them because she is a Prescott High School Alumni, as is he.

Councilman Luzius then read the name of the instructor and those of the participants, and then read the Proclamation and presented it to the group. He said that they always hear through the media what is wrong with the Country, yet they have this great group of students before them.

Councilman Roecker thanked everyone for participating and said that in these students they see what is right about the Country, and he wished them well in Phoenix. Councilwoman Lopas said that she appreciated all of them and their efforts. She said that as past alumni to future alumni, this is fantastic and very heartwarming, and she thanked them for their effort.

Mark Goligoski, the teacher, thanked the Council for the opportunity to be recognized. Prescott High School does a lot of good things, with a lot of great students there. He said that it is an honor and privilege to him to get to teach these students as they do incredible things.

Councilman Luzius said, in closing, that they should go to Phoenix and do the best they can; everyone is proud of them.

ROLL CALL:

MAYOR AND CITY COUNCIL:

PRESENT:

Mayor Wilson
Councilman Bell
Councilman Lamerson
Councilwoman Lopas
Councilman Luzius
Councilman Roecker
Councilwoman Suttles

ABSENT:

None

SUMMARY OF CURRENT OR RECENT EVENTS

Mr. Norwood said that this past Saturday the City held their *Dickens of a Holiday*, and had 25-30% more people downtown over last year. He thanked Becky Garvin and Mic Fenech for putting in so much time and effort, as well as Debbie Horton and others in the department, and also a lot of volunteers.

II. PUBLIC COMMENT

A. Tommy Meredith re Courthouse Lighting.

Mr. Meredith said that he asked to be on the agenda because, in his opinion, they have very unspectacular, unimpressive, embarrassing light decorations on the City square. He was on the committee that was going to get with the City and staff three years ago and he made so much out of it he never got asked back to the committee meeting.

Mr. Meredith said that he has been before the Prescott Downtown Partnership; he is with them every month as a member of their Board, and has talked about this to no avail. He is here because he wants to do better, he wants a commitment from the City to help out and improve the lighting. Some newcomers may think this is nice; some of those that have been here awhile think it is inadequate.

He said that a lot of people think that the County does it, but they don't. The City puts up \$30,000 for the effort and they spend \$72,000 with the effort there. He is on the board of the Downtown Partnership and he works a lot of with Dave Maurer and the Chamber, and he respects them. He does not think they want the job of putting on the lights. They inherited it from Gheral Brownlow, who along with Chris from the Plaza Café and Bucky from Bucky's Coffee Shop, used to do all of the decorations until three years ago.

He said that the City put up \$300 all the time that those men did the work, and they got spoiled. They could not do it forever and it was then turned over to the Prescott Downtown Partnership and the Chamber. He said that for the past three years he has been talking about the black hole across from his establishment, but today Elisabeth Ruffner referred to it as the Black Forest, which he likes better.

Mr. Meredith said there are no ground affects, no overhead, no color, no originality—it is not impressive. The only improvement that has been suggested is that maybe they could wrap some more of the dead looking trees. This year they wrapped five more and that is not a commitment. The City of Glendale spends \$500,000 on their lights and Prescott is the Christmas City of Arizona.

He would like to plea to the Council and consider the existing situation, start today and make a commitment for a better lighting for next year.

Councilman Roecker asked Mr. Meredith who he would like to see take the lead. Mr. Meredith said that he is satisfied with the Chamber and the Downtown Partnership, but he knows that Dave is going to say they don't have any money. They have lights, but they don't have money to put them up. The City needs to put up more than \$30,000.

He said that the Chamber and Downtown Partnership should be up before the Council asking for more money.

III. PRESENTATION

- A. Presentation by Dave Maurer, Executive Director of the Prescott Chamber of Commerce, re Courthouse Lighting.

Dave Maurer, Executive Director of the Chamber, said that Tommy has pretty much given his report. He did want to report on what did transpire this year as the 53rd annual courthouse lighting. There is a pamphlet that traces the history of the lighting. Some years there are colors with some ground displays, some years there are not. What they see this year is essentially what they saw last year with the addition of five more trees.

Mr. Maurer then passed out a summary showing the money that has come in and how it is spent. This year's budget is just shy of \$75,000, with \$30,000 coming from the City and the remainder coming from the private sector.

Mr. Maurer said that the majority of the money is spent on the Courthouse Plaza, but they also pay for other things, most notably the streetlights up and down Gurley Street, Montezuma, the snowflakes. Each year 1,000 new bulbs have to be purchased and tested and that is done by volunteers. He said that they don't put up the streetlights--that is done by the City, but all of the prep work is done by volunteers.

Mr. Maurer said that there are two companies in the State that install lights, and they have used the same company for the last three years. Most people don't realize the amount of work in lighting one tree. They have two people working eight hours on a hoist, not only to put it up, but also to take it down. He said that over the past three years they have made switches in many of the lights to where almost all of the lights are LED, which provides a $\frac{3}{4}$ percent reduction in electricity use, which is paid for by the County.

He said that they had estimated to light 50 trees this year, double what they did last year, but that would have cost \$100,000 so it was not possible.

Councilman Roecker asked if they have lights to light up more trees. Mr. Maurer said that if they are the same ones that he thinks Mr. Meredith was referring to, he believes those are up to outline the buildings, and that was done through a separate grant that the City's Economic Development Department wrote and received from the State.

He said that three years ago the Fire Department determined that all of the electrical outlets on the roofs were not to Code. The grant brought those up to Code and that was completed this summer and thanks to off-duty firemen volunteers, those lights were put up just before the Courthouse Lighting started.

Councilwoman Suttles said that she attended the first meeting three years ago and they discussed what could and could not be done. She said that maybe after three years they could get together again and look at some options. She would like to get a group together in January. Mr. Maurer said that he would be glad to participate.

Mr. Maurer said that they can please some of the people with the lights, but not others, but he would say that the majority of comments they receive are very positive.

Councilwoman Suttles said that she has not been very happy and maybe they can get back to the table and look to see what they could do next year. She would like to have Gheral Brownlow sit on that committee.

Mayor Wilson said that is a good solution to look at the problem and how they can move forward. He is always in favor of continuous process improvement.

Councilman Luzius said that he knows that for a few years the building outlines were not lighted and he thanked the Fire Department volunteers for doing that.

IV. REGULAR AGENDA

- A. Reappointment to the Transportation Coordinating Committee.

Mayor Wilson reported that Mr. Williams was unable to attend the meeting.

COUNCILMAN LAMERSON MOVED TO REAPPOINT AL WILLIAMS, JR. AS A MEMBER OF THE TRANSPORTATION COORDINATING COMMITTEE FOR A FOUR-YEAR TERM TO EXPIRE 01/2012; SECONDED BY COUNCILMAN LUZIUS; PASSED UNANIMOUSLY.

- B. Public Hearing and consideration of a liquor license application submitted by Randy Nations, Agent for R & G International Enterprises, LLC, for a new Series 7, Beer & Wine Bar, license for The Library of Wine located at 212 West Gurley Street.

City Clerk Elizabeth Burke stated that this is a public hearing and consideration of a new liquor license application from Randy Nations for The Library of Wine located at 212 West Gurley Street. The property was posted as required and they have received no public comments. Mayor Wilson noted that the applicant was in the audience.

Councilman Luzius said that he had reviewed the application and had no problem with it.

COUNCILMAN LAMERSON MOVED TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

COUNCILWOMAN SUTTLES MOVED TO APPROVE THE LIQUOR LICENSE APPLICATION SUBMITTED BY RANDY NATIONS, AGENT FOR R & G INTERNATIONAL ENTERPRISES, LLC, FOR A NEW SERIES 7, BEER & WINE BAR, LICENSE FOR THE LIBRARY OF WINE

LOCATED AT 212 WEST GURLEY STREET; SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.

Councilwoman Suttles asked where it was located. The representative stated that it was right next to Brian's Irish Pub where A Piece of My Heart used to be located.

- C. Presentation and discussion re the SR 89A / Side Road Traffic Interchange Design Concept by Parsons Transportation.

Mr. Nietupski said that this is discussion of a presentation by Parsons. They posted it on the agenda to allow for public comment after the presentation is complete. He said that Mr. Paul Holly of Parsons would make the presentation which is the product of Parson's Phase I engineering work performed under a contract awarded in 2006. The presentation is provided seeking Council's informal concurrence with the design concept to enable its submittal to ADOT for review and subsequent approval which is required before detailed project design can proceed. After ADOT approval, it would be resubmitted to Council for final approval.

He said that the City is obligated under three separate agreements to design and construct a traffic interchange at this location. These agreements include an IGA with Yavapai County, the Country Dells property owners and the recently-approved Granite Dells Estates agreement. The City is on a fast tract to complete and deliver this project and meet these obligations. The design must be completed and the project ready to bid one year from now. The major land owner in the area has offered to dedicate approximately 25 acres and all of the borrow fill material required to build the traffic interchange at their preferred location which is Alternative C, all at no cost to the City. It would be a significant contribution to the project. Also, the benefits of a future annexation of a portion of Cavan's property into the City are also worthy of consideration.

Mr. Holly then gave the following PowerPoint presentation, a copy of which is attached hereto and made a part hereof as Exhibit A.

Project Objectives / Today's Presentation / Project Location
Traffic Forecasts
Alternatives Evaluation
Alternatives Comparison
Alternatives Comparison – Cost Comparison
Recommended Preferred Location C
Configuration Alternatives: Signalized Diamond
Configuration Alternatives: Double Roundabout
Alternatives comparison: Configuration (Ultimate 2030)

Recommended Preferred Configuration: Double Roundabout
2-Lane Roundabouts

Phasing

Alternatives Comparison: Phasing

Rails to Trails Alternative: Multi-Use Path / Sidewalks

Rails to Trails Alternative: Lighted Tunnel

Recommended Preferred Rails to trails: Convert Existing Livestock
Tunnel

Recommendations Summary: Best Alternative

The recommended alternative is to locate the interchange at C, 1800' east of existing Side Road, configure it with double roundabouts, phase construction by initially providing two-lane roundabouts with a four-lane bridge over SR89A with right-of-way reserved for a future, ultimate three-lane roundabout and six-lane bridge deck, provide Rails to Trails connection utilizing the existing box culvert beneath 89A near the abandoned rail line, and provide sidewalks and shoulders along each side of Side Road Bridge to accommodate local pedestrian and bicycle traffic.

Councilwoman Suttles said that she thinks everything looks great, but they have been beat up over roundabouts. She asked him how they convince their drivers, and whether they will be better educated.

Mr. Holly said that from an operational standpoint they are definitely safer, particularly with less injury and fatalities. The secret is to have traffic slow down before they go into the roundabout. If they are starting out in a pristine situation like they will be, the traffic will build up and people will get used to it gradually. Education is important, but roundabouts are becoming much more commonplace in Arizona.

Mayor Wilson said that he spoke with Al Williams last week, along with Councilman Luzius, and they discussed roundabouts. He convinced him of the value of education, but there will be a much larger selling job for the general public.

Mayor Wilson said that it was mentioned that they have to get the final design and bids within 12 months. He wanted to know what the timeline looks like for the final design.

Mr. Nietupski said that at this point, with Council's concurrent, they will submit this to ADOT for their approval. The intent would be to come back with final design contract to complete by January 2009. He would expect to submit it to ADOT in January.

Mayor Wilson said that there was a discussion regarding the traffic volumes during the presentation, causing the number of lanes on 89A to go from two to four to six to eight. He is having a hard time understanding how they will blast through all of the rock. He asked if they have looked at alternatives to 89A.

Mr. Nietupski said that the projections he is talking about are based on reports done by Lima, etc. The improvements to 89A, which is a state system, would be by the State of Arizona at such time as it was necessary. That information was provided to illustrate what the future holds.

Gheral Brownlow said that 89A was looked at by the County and ADOT and was driven by the County. They came up with quite a bit of money for it and condemned properties and getting the right of way through there. The reason that Side Road is there is because all of the people in Granite Dells Ranch exited to the south on Old 89A and in the deeds they could not go north, they had to go south. They were promised that there would be an interchange there. He is quite sure that the County came up with the design for the north ramp, but that was before all of the developers got hot in seeing something happen in that area. They drove a bigger interchange and that's why the County put a cap on it.

George Seaman said that they talked about the distances between the Side Road interchanges and Larry Caldwell, but he didn't hear anything about the distance between Side Road interchanges to the proposed Great Western and he would ask that. Mr. Nietupski said that either Alternative A or C would meet the criteria of one mile for spacing, and that would apply to both Larry Caldwell and Great Western.

- D. Approval to purchase eight thermal imaging cameras, charging units and associated accessories in the amount of \$109,008.00 from L. N. Curtis & Sons.

Darrell Willis said that these are commonly referred to as TIC's within the Fire Department. They are bringing before a proposal to approve eight of these lifesaving tools to improve their services. Currently they have one on the shift commander's vehicle. These are the innovation of the future for the Fire Department by allowing them to provide better services.

Mr. Willis said that this was a budgeted item this year of \$75,000 – and they received a Homeland Security grant for some of it. They had looked at purchasing six units; with eight they can have them on all of their frontline units. They went out to bid in November and had one vendor bid – LN Curtis & Sons. The total cost is \$109,008.00, with 41% coming from

the Homeland Security grant (\$45,000), so \$64,000 would come from the capital improvement program, leaving \$10,900 in the CIP.

COUNCILMAN LUZIUS MOVED TO APPROVE THE PURCHASE OF EIGHT THERMAL IMAGING CAMERAS, CHARGING UNITS AND ASSOCIATED ACCESSORIES IN THE AMOUNT OF \$109,008.00 FROM L.N. CURTIS & SONS; SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.

- E. Adoption of Resolution No. 3874-0842 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting a grant from the Arizona Governor’s Office of Highway Safety for funding for the continued operation of the Northern Arizona DUI Task Force and authorizing the execution of any and all documents to implement same.

Chief Oaks said that this has to do with a grant from the Governor’s Office of Highway Safety in the amount of \$60,000.00 to be used for officer overtime by nine different law enforcement agencies in Yavapai County for DUI enforcement. This program has been established for 13 years and the Prescott Police Department has acted as the administrator and fiscal agent of the grant, even though it benefits all of the agencies. They administer the grant, coordinate the use of the funds through each of the agencies involved and in November of this year the Council approved the application to the Governor’s Office of Highway Safety for this grant. The grant has been awarded.

COUNCILMAN BELL MOVED TO ADOPT RESOLUTION NO. 3874-0842; SECONDED BY COUNCILMAN LUZIUS; PASSED UNANIMOUSLY.

- F. Adoption of Resolution No. 3876-0844 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting an amended grant from the Arizona Department of Transportation for additional funding for a drainage study for the Prescott Airport to facilitate enhanced airport drainage and safety.

Airport Manager Ben Vardiman said that this is a request to amend a State Aeronautics Division grant for the Airfield Drainage Study. The amendment amount is \$22,785.55; it will entail 10% for the City, or \$2,278.55. The original grant amount was approved by Council in May of 2007 for the amount of \$100,000.00. This new grant amount includes the airfield survey and topographical mapping of the airport which is required for the airfield drainage study to be completed. It will also be used and the data will be incorporated into the Airport Master Plan which is currently in process.

COUNCILMAN LUZIUS MOVED TO ADOPT RESOLUTION NO. 3876-0844; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- G. Authorization for Services #3 with Z & H Engineering, Inc. to conduct an Airfield Drainage Study in the amount of \$117,635.00 (\$11,763.50 City).

Mr. Vardiman said that this agreement with Z & H Engineering, previously approved by Council, for them to conduct the airfield drainage study. The total amount of the project is \$117,635.00 with \$11,763.50 as the City's share. The remainder would come from the State grant which was just approved. The airfield drainage study will look at some of the existing drainage issues they have and come up with some recommendation for best mitigation practices.

COUNCILMAN LUZIUS MOVED TO APPROVE AUTHORIZATION FOR SERVICES #3 WITH Z & H ENGINEERING, INC., TO CONDUCT AN AIRFIELD DRAINAGE STUDY IN THE AMOUNT OF \$117,635.00 (\$11,763.50 CITY) AND FURTHER AUTHORIZING THE MAYOR AND CITY STAFF TO EXECUTE ANY AND ALL RELATED DOCUMENTS; SECONDED BY COUNCILWOMAN LOPAS; PASSED UNANIMOUSLY.

- H. Approval of a professional services agreement with AMEC Infrastructure in the amount of \$283,357.77 for engineering design of the Senator Highway Improvement Project, South Mount Vernon Avenue to Nathan Lane.

Mr. Nietupski said that this is the request for approval of a professional services agreement for engineering services to design Senator Highway and improve that roadway. It currently is a rural road with shoulders that are eroded and it has deteriorated significantly. This project will provide for planned improvements to widen the street to 28 feet, put in new curb and gutter on both sides and a sidewalk on one side. The water and sewer facilities within the corridor will also be designed for improvement as required by the City's water and sewer models. Also during the design process they will look at the feasibility of providing for bicyclists in this corridor.

He said that AMEC Infrastructure was selected for the design contract after a formal request for qualifications was completed. They had a representative at the meeting today and pending award of the contract, design would commence in January of 2008 and be completed in one year.

He said that Senator Highway and Mt. Vernon to the north would then be constructed as programmed currently in fiscal year 2010 for concurrent

construction. This is a fiscal year 2008 budgeted project and the contract total amount is \$283,357.77, with \$194,454.00 coming from the one-cent sales tax and \$44,000.00 from the water and sewer funds respectively.

Councilwoman Suttles said that there are some projects they are not able to do because of the one-cent sales tax. She asked if this comes after those others are done. Mr. Norwood said that they are not looking at deferring this project. This is only for engineering and design. It is going to be a challenge as they get to the next phase which is actual construction because it will not be an inexpensive project so it will be competing with other projects out there.

Councilwoman Suttles said that she thought that Copper Basin and Iron Springs were eating up the sales tax. Mr. Norwood said that they will continue to eat that for the next fiscal year. Copper Basin will go into the following fiscal year, but Iron Springs will be essentially completed within this fiscal year.

Councilwoman Suttles asked if there will be any county work on their portion of the road. Mr. Nietupski said that he is not aware of any plans for that. Councilwoman Suttles asked if it was a plus or a minus that they go that far and stop. Mr. Nietupski said that it would be a plus for the people that live in the City of Prescott and those in the County that use the road.

Councilwoman Suttles said that they are doing a similar thing with the Williamson Valley project. Mr. Nietupski said that the Williamson Valley project is in right-of-way acquisition right now from Sidewinder Drive up to the city limits at Shadow Valley Ranch Road and from that point forward to Pioneer Parkway that is planned to be a joint project with the County.

Councilwoman Suttles asked if Mr. Nietupski thought the County might pick up any of the project after the design is complete. Mr. Nietupski said that there have been no discussions with the County.

Councilman Roecker asked why it takes a year to engineer this project. Mr. Nietupski said that it could have been accelerated, but as the budget is fixed, construction could not start until 2010.

Councilman Luzius said that it is a long time coming. He asked where they stand on the Southside Traffic Study. Mr. McConnell said that engineering firm for the Southside study, Carter Burgess, is now doing cost estimates for alternatives for the Southside Circulation. They would expect to have some discussion in January with the Council, either through a report and informal discussion, or on the Council agenda before they go out into the public and float the alternatives.

Councilman Luzius mentioned to Councilwoman Suttles that several months ago he mentioned the Southside Traffic Study to Supervisor Tom Thurman and he didn't know what he was talking about. He told Supervisor Thurman that he had citizens needing help with the road, and Supervisor Thurman said that he would just as soon not know anything about it.

Councilman Bell said that part of the reason it takes a year is that they have to come all of the way up from Phoenix. He asked if there were any locals on the short list. Mr. Nietupski said that he believes that Claycomb Rockwell was one of the local firms on the short list, which also included PBS&J, Shepard Witnizter and AMEC.

Councilman Bell said that he feels strongly that they should use local firms whenever possible. Mr. Nietupski said that he appreciates and understands that. He said that there is a list of criteria and they were evaluated by Public Works and Engineering Services staff, and ranked accordingly.

Mr. Norwood asked if they had a local office. Mr. Nietupski said that it was his understanding that they did for awhile, but not at this point in time.

Councilman Lamerson said that this is nearly \$300,000.00. He has not quite gotten a grip on when they will build. Mr. Nietupski said that the earliest would be 2010, with Mt. Vernon Avenue, which design is substantially complete, from Gurley Street south to the City limits.

Councilman Lamerson said that he agrees with Councilman Luzius that this is a needed project. On the other hand, he agrees with Councilwoman Suttles that they have a lot of projects, and asked if the \$283,000.00 wouldn't be better spent fixing what they are in the middle of.

Mr. Nietupski said that this is a CIP project which is funded separately from maintenance.

Councilman Lamerson said that now they are looking at new projects, but talking about deferring some. He said that hopefully when they sit down in their plenary session they can discuss this further.

Thomas Slayback said that he heard the word "feasibility" in the project for bicycles and he would request that it actually be engineered for bicycles. It is a heavily-used route, especially by recreational bicyclists. He has to use it when he goes to vote and it has a blind curve and the pavement is completely deteriorated.

Mr. Nietupski said that the intent is to evaluate what would be required to accommodate bikes. They will also look at the grades of the street in conjunction with the need to construct retaining walls. The implications for adding the additional width are not fully understood at this point and that is why it is a feasibility to determine what would be needed.

Bob Ruillard said that City Light's entrance is at Nathan Lane. He said that where Nathan Lane and Senator Highway intersect, that road is pristine. To connect the two would make for a nice connection for City and County. It seems that with the last rains they got the erosion on Senator Highway has gotten horrendous. It has been hot and cold patched and is nothing but pot holes. They have been digging up the infrastructure on South Mt. Vernon for the past two weeks. The area is in desperate need for a total overhaul. He originally addressed the Planning and Zoning Commission and Council a few years ago in June when the Tenneys were trying to do their project. He said that their consideration would be appreciated.

COUNCILMAN LUZIUS MOVED TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH AMEC INFRASTRUCTURE IN THE AMOUNT OF \$283,357.77 FOR ENGINEERING DESIGN OF THE SENATOR HIGHWAY IMPROVEMENT PROJECT SOUTH MT. VERNON AVENUE TO NATHAN LANE; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- I. Approval of a grant application to Arizona Department of Transportation, in partnership with Prescott Alternative Transportation, for funding of infrastructure improvements under the Safe Routes to School Program.

Mr. Nietupski said that this item would authorize the City's submission of a grant application to Arizona Department of Transportation for grant funding of infrastructure improvements in partnership with Prescott Alternative Transportation under the Safe Routes to School Program. It would include design and construction of sidewalks, striping, signing and crosswalks, etc.

Councilman Lamerson said this one falls within the public safety issue and this is the type he has no problem asking for. Mr. Nietupski pointed out also that this grant does not require any matching funds from the City.

COUNCILMAN LUZIUS MOVED TO APPROVE A GRANT APPLICATION TO ARIZONA DEPARTMENT OF TRANSPORTATION, IN PARTNERSHIP WITH PRESCOTT ALTERNATIVE TRANSPORTATION, FOR FUNDING OF INFRASTRUCTURE IMPROVEMENTS UNDER THE SAFE ROUTES TO SCHOOL

PROGRAM; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- J. Adoption of Resolution No. 3875-0843 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona adopting a Council Policy regarding contracts with the City by public officers and employees of the City.

Mr. Kidd said that this is the annual conflict of interest resolution.

COUNCILWOMAN SUTTLES MOVED TO ADOPT RESOLUTION NO. 3875-0843; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

- K. General discussion of City Hall Signage.

Councilman Lamerson said that he had asked for this item to be placed on the agenda and it has to do with the absence of the word *Christmas* on top of the City building. He said that Prescott was designated as *Arizona's Christmas City* by Governor Mofford some years ago. The intent of promoting this time of year is to promote Christmas, not Thanksgiving, Halloween, New Years Day, etc. He, as well as a number of his constituents, don't like Christmas taken off of the building. He would suggest that in next year's Christmas signage that they include in some form of *Arizona's Christmas City* and that is to include the word Christmas.

Councilman Luzius said that he agrees with Councilman Lamerson. He concurs; they have to realize that Christmas is the birth of Christ and they are Arizona's Christmas City. Anything other Merry Christmas or Christmas on top of the building is inappropriate.

Mayor Wilson said that he has heard two versions—*Arizona's Christmas City* and *Merry Christmas*.

Councilman Luzius said that if they say "*Arizona's Christmas City*" it sounds too much like a commercial; he feels it should be *Merry Christmas*.

Councilman Roecker said that he believes that Governor Mofford's intent was to name them Arizona's Christmas City and he would recommend to staff that they look into getting a sign that says "*Arizona's Christmas City*."

Mayor Wilson said that he favors Councilman Roecker's position.

Councilman Bell asked if this would have anything to do with separation of church and state. Councilman Lamerson said that it did not.

Mr. Kidd said that Christmas itself, the term Christmas, has been held by a number of courts to be fine; it is not a violation of the establishment clause.

Councilman Bell said that he thought that the reason they said Happy Holidays was to put it up before Thanksgiving, and they thought about Thanksgiving, and Kwanza and Hanukkah, New Years, etc. He does not think that staff should be faulted for that, and perhaps it could be corrected to everyone's satisfaction next year.

Councilman Lamerson said that he was not criticizing anyone. The fact is that they are Arizona's Christmas City; Arizona's official Christmas City, and he is offended that someone would not include *Christmas* in the City's position, and it has nothing to do with church and state.

Mayor Wilson asked Mr. Norwood to investigate a new sign for next year along the lines of *Arizona's Christmas City* or *Welcome to Arizona's Christmas*.

Councilman Luzius said that he has done his homework, and to set any doubts, and he is not against what they are about to propose, but he has a list of holidays recognized by the United States and Christmas is a recognized holiday; Kwanza is not, and he would hate to see Christmas identified with any other holiday.

Candace McNulty said that she is feeling nervous given how the discussion has gone. When she saw the sign that says *Happy Holidays*, she wanted to say thank you. There are signs on the light poles that say Christmas City. The message is clear that Prescott is Arizona's Christmas City and she has no objection to a sign that says *Arizona's Christmas City* on top of City Hall. Her reaction to the *Happy Holidays* was "thank you." The cultural debate has become increasingly sharp during her lifetime, and she hears words like "I am offended" coming from the people who represent the majority of this country. She thinks that one of the important things that they do in this country is support minority points of view and minority traditions, and attempt not to lean on the "majoritiness" of the majority in the country.

She said that she felt grateful when she saw that sign because it said welcome to everyone that does not accept Jesus Christ as their Lord and Savior, but is in the City, lives in the City, visits the City and welcome to them all. For those of them that the solstice is the most important thing, for those for whom the miracle of the endurance of light celebrated by the Jews, for those that celebrate the increase and return of productivity in Kwanza, she thinks it is a good idea. She said that some would call her an atheist; she thinks she is a highly-religious nonbeliever.

Mr. Ruillard said that when a City has a theme as Prescott does as Arizona's Christmas City, he does not believe there is any other alternative than to proclaim it *Arizona's Christmas City*. He had company come up here to visit Prescott because it is Arizona's Christmas City.

V. ADJOURNMENT

The Joint Study Session/Regular Voting Meeting of the Prescott City Council held December 18, 2007, adjourned at 4:38 p.m.

JACK D. WILSON, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Joint Study Session/Regular Voting Meeting of the City Council of the City of Prescott, Arizona held on the 18th day of December, 2007. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2008.

AFFIX
CITY SEAL

ELIZABETH A. BURKE, City Clerk