



PRESCOTT CITY COUNCIL VOTING MEETING AGENDA

*A M E N D E D
ACTION TAKEN

PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, AUGUST 12, 2008
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**
- ◆ **INVOCATION:** Pastor John Garwood, Cornerstone Church
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Lamerson
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Wilson	
Councilman Bell	Councilman Luzius
Councilman Lamerson	Councilman Roecker
Councilwoman Lopas	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. PLEASE NOTE: Comments from the public regarding any item on the agenda will be limited to five (5) minutes. Please refer to the Clerk's desk for the timing sequence of the lighting signals: **GREEN** at the beginning of comments, **YELLOW** with one minute remaining, and **RED** when time has ended.*

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 (Please limit your comments to five minutes)

- A. Eric Bewley re Prescott Badgers.
- B. Nancy Healey re situation at Lincoln/Grove corner.

II. PRESENTATIONS

- A. Presentation by APS re donation to the Elks Opera House Foundation.
- B. Update from the Prescott Bicycle Advisory Committee.

III. REGULAR AGENDA

- A. Public Hearing and consideration of liquor license application from Heng Lin, applicant for Teng and Lin, LLC, for a Series 12, Restaurant license for Chi's Cuisine located at 114 North Cortez Street.

ACTION: (1) **MOVED** to close the public hearing – passed unanimously; and (2) **MOVED** to approve the liquor license application from Heng Lin, applicant for Teng and Lin, LLC, for a Series 12, Restaurant license for Chi's Cuisine located at 114 North Cortez Street – passed 5-2 with Councilwoman Suttles and Councilman Luzius casting the dissenting votes.

- B. Adoption of Resolution No. 3900-0902 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into an Intergovernmental Agreement with Yavapai County for Unified Emergency Management, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: **MOVED** to adopt Resolution No. 3900-0902 – passed unanimously.

- C. Discussion/consideration re Downer Trail Gate south of Sierry Peaks Drive.

ACTION: **MOVED** that the gate known as DT gate, south of Sierry Peaks remain closed pending reconstruction, engineering, funds, etc. to bring it up to city standards – passed unanimously.

- D. Approval of letter from City of Prescott to Arizona's Congressional Delegation in support of federal funding of scientific studies as proposed by the Verde River Basin Partnership.

ACTION: ***MOVED** to go forward with the letter with the proviso to get concurrence from Prescott Valley and a dual signature of himself and Mayor Harvey Skoog when authorized – passed 4-3 with Councilwoman Suttles and Councilmen Roecker and Bell casting the dissenting votes.*

E. Hazelwood Property:

1. Ratification and approval of contract amendment with Hazelwood Family Trust.

ACTION: ***MOVED** to ratify and approve the contract amendment with Hazelwood Family Trust – passed unanimously.*

2. Adoption of Ordinance No. 4662-0905 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting title to real property known as the Hazelwood Property located in the Granite Dells, and authorizing the Mayor and staff to execute any and all documents to effectuate said purchase.

ACTION: ***MOVED** to adopt Ordinance No. 4662-0905 – passed unanimously.*

3. Adoption of Resolution No. 3902-0904 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona approving the transfer of unencumbered appropriations from the Capital Projects Fund to the 1% Streets and Open Space Fund.

ACTION: ***MOVE** to adopt Resolution No. 3902-0904 – passed unanimously.*

- F. Adoption of Resolution No. 3901-0903 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into an Intergovernmental Agreement with Yavapai County and the Yavapai County Sheriff's Office for the City's use of the County's driving track and facility, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: ***MOVED** to adopt Resolution No. 3901-0903 – passed unanimously.*

- G. Approval to cancel the August 19, 2008 Study Session and combine with the August 26, 2008 Regular Meeting (due to the League of Arizona Cities and Towns' Annual Conference).

ACTION: *MOVED to approve cancellation of the August 19, 2008 Study Session and combine it with the August 26, 2008 Regular Meeting – passed 6-1 with Councilman Roecker casting the dissenting vote.*

- H. Approval of the Minutes of the Prescott City Council Special Meeting of June 24, 2008, Regular Voting Meeting of July 8, 2008, the Joint Study Session/Special Meeting of July 15, 2008, the Special Workshop of July 22, 2008, the Regular Voting Meeting of July 22, 2008, and the Study Session of August 5, 2008.

ACTION: *MOVED to approve the Minutes of the Prescott City Council Special Meeting of June 24, 2008, Regular Voting Meeting of July 8, 2008, the Joint Study Session/Special Meeting of July 15, 2008, the Special Workshop of July 22, 2008, the Regular Voting Meeting of July 22, 2008, and the Study Session of August 5, 2008 – passed unanimously.*

- I.* **Adoption of Ordinance No. 4663-0906 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona amending Section 1 of Ordinance No. 4660-0903 regarding the primary property tax levy for FY 2009.**

ACTION: *MOVED to adopt Ordinance No. 4663-0906 – passed unanimously.*

- ~~I.~~J. Recess into Executive Session.

ACTION: *MOVED to recess into Executive Session – passed unanimously.*

IV. EXECUTIVE SESSION

- A. 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 ARS 38-431.03(A)(4).

1. Peregrine Subdivision.

V. ADJOURNMENT