

PRESCOTT CITY COUNCIL COMBINED
STUDY SESSION/REGULAR VOTING MEETING
TUESDAY, NOVEMBER 4, 2008
PRESCOTT, ARIZONA

MINUTES OF THE COMBINED STUDY SESSION/REGULAR VOTING MEETING OF THE PRESCOTT CITY COUNCIL held on TUESDAY, NOVEMBER 4, 2008 in the COUNCIL CHAMBERS located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Wilson called the meeting to order at 3:01 p.m.

◆ **INTRODUCTIONS**

◆ **INVOCATION:** Reverend Julia McKenna Johnson, Spiritual Architect

Reverend Johnson gave the invocation and then led the Council and audience in singing *God Bless America*.

◆ **PLEDGE OF ALLEGIANCE:** Mayor Wilson

Mayor Wilson led the Council and audience in the Pledge of Allegiance.

◆ **ROLL CALL:**

PRESENT

ABSENT

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

None

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

City Manager Norwood said that last night Senator McCain closed his Presidential campaign a little after midnight. Early projections for attendance were 3,000 to 4,000, but the number was actually around 10,000. He said that there was an incredible response from City staff, including police, fire, parks and recreation, field operations, sanitation, and it was nearly cleaned up by noon today. He said that he appreciated all City employees that worked together so

well, and with less than a week's notice. Councilman Luzius led the audience in a round of applause for City staff.

I. PROCLAMATIONS

A. November 10, 2008 – 233rd Birthday of the United States Marine Corps

Councilman Bell read a proclamation proclaiming November 10, 2008 as the 233rd Birthday of the United States Marine Corps, and then presented it to several members of the Marine Corps League, Copper State Detachment, who thanked the Mayor and Council for their kindness.

II. REGULAR AGENDA

A. Public Hearing and consideration of a liquor license application submitted by Bruce Scott Reid, Applicant, for a Series 06, all Spirituous Liquor Bar, license for Moctezuma's Bar located at 144 South Montezuma Street.

Ms. Burke reviewed the liquor license application, noting that the property had been posted, no public comments had been received and the applicant was present for any questions that may arise.

Councilman Luzius said that he went through the application and wondered why the business has been in operations since September 1, when the application is just now coming before the Council. He said that the application includes errors and omissions, such as the closest school is actually the school at the Baptist Church, and as he stated last week, he does not know why they are not correct if the City is supplying the information. Additionally, he said that the applicant has been convicted of a crime in the state of Minnesota and he is wondering if this was the type of person they want dispensing liquor.

Bruce Scott Reid, 133 Overstreet Drive, said that they did not actually close the purchase of the business until September 23. He explained that the conviction in Minnesota was due to a piece of real estate that was hooked up to cable for three years and he had not notified the cable company that he was receiving it without paying for it.

COUNCILWOMAN SUTTLES MOVED TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.

COUNCILWOMAN SUTTLES MOVED TO APPROVE THE LIQUOR LICENSE APPLICATION SUBMITTED BY BRUCE SCOTT REID, APPLICANT FOR A SERIES 06, ALL SPIRITUOUS LIQUOR BAR, LICENSE FOR MOCTEZUMA'S BAR LOCATED AT 144 SOUTH

MONTEZUMA STREET; SECONDED BY COUNCILWOMAN LOPAS; PASSED 6-1 WITH COUNCILMAN LUZIUS CASTING THE DISSENTING VOTE.

- B. Reappointments to the Acker Trust Board, the Advisory & Appeals Board and Board of Adjustment.

Ms. Burke reviewed the recommendation of the Council Appointment Committee.

COUNCILMAN LUZIUS MOVED TO ACCEPT THE COUNCIL APPOINTMENT COMMITTEE'S RECOMMENDATION TO REAPPOINT DAWN DODSON TO THE ACKER TRUST BOARD, TERM TO EXPIRE 11/2011; APPOINT RICK RYAN (PLUMBING) TO THE ADVISORY & APPEALS BOARD, TERM TO EXPIRE 02/2011 AND REAPPOINT TOM MENSER (GENERAL) AND H. BEN SCHMID (MECHANICAL) TO THE ADVISORY & APPEALS BOARD, TERMS TO EXPIRE 11/2011; AND REAPPOINT KEN MABARAK TO THE BOARD OF ADJUSTMENT, TERM TO EXPIRE 11/2011.

At this time Mayor Wilson invited the appointees to the front for recognition and thanked them for all they do for the City. He said that the Council has a debt of gratitude for the many hours they put into difficult tasks and they are appreciated.

- C. Approval to purchase a Type I Pumper Fire Engine from Central States Apparatus, LLC "Rosenbauer" for the purchase price of \$394,024.00, plus tax.

Deputy Fire Chief Bruce Martinez said that this was a request to purchase a pumper fire engine, which is their typical front line apparatus. They received five proposals, three of which met the specifications, and the most responsible proposal was Rosenbauer in the amount of \$394,024.00. This proposal includes \$8,000.00 in radios where HME only supplies the electric to those points. Also, there is a \$6,000.00 upgrade to the electrical system which allows the City's mechanic to one-port plug in site where they can plug in their computer and diagnose and troubleshoot the entire vehicle, which decreases the downtime for the vehicle. It was budgeted in the vehicle replacement program for FY08 and they were asked to hold off for economic reasons. They will receive a \$7,284 discount if they pay for the chassis at the time of arrival at the factory. The balance due would be upon delivery of the engine, anticipated around January of 2010.

Councilman Suttles asked if they wanted the discounted money of \$7,284 now and then when it is delivered, that is when the remainder is paid.

Chief Martinez explained said that in about five months they will receive the chassis, and they will request approximately \$190,000 from the City, and that is when the City will receive the \$7,284 discount.

Mr. Norwood clarified that this was planned to be purchased a year ago, but they deferred it at that time, but they cannot defer it any longer because there is a lead time before they even receive it.

Councilman Luzius asked Chief Martinez to describe the unit. Chief Martinez said that it was a Type I, which is typically driven at each station; it has a pump, water, hose and ground ladders and it used to be called a “quad.” He said that it has a 1500 gpm pumper.

Councilman Lamerson said that he understands the need and sees the cost, but it seems crazy to him that they have to tax the citizens for sales tax.

COUNCILMAN LUZIUS MOVED TO APPROVE THE PURCHASE OF A TYPE I PUMPER FIRE ENGINE FROM CENTRAL STATES APPARATUS, LLC “ROSENBAUER” FOR THE PURCHASE PRICE OF \$384,024.00, PLUS TAX; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

- D. Approval to purchase four new standby generators with automatic transfer switches from Arizona Generator Technology in the amount of \$41,796.00, plus tax.

Mr. Willis said that these generators are for emergency purposes at four tower sites to keep the communication system working if there was a power outage. He said that they followed the City’s Procurement Code and received several bids; they are recommending the purchase through Arizona Generator Technology. He noted that the budgeted amount was \$65,000.00.

Councilwoman Suttles said that they are in a regional communication system and asked if others would not participate in the costs. Mr. Willis explained that within the regional communication center, it is up to each entity to get their service outside of the building. The City provides services to the outside of each building. They need to provide the signals into that building and this would allow them to transmit to the infrastructure in the building.

COUNCILMAN ROECKER MOVED TO APPROVE THE PURCHASE OF FOUR NEW STANDBY GENERATORS WITH AUTOMATIC TRANSFER SWITCHES FROM ARIZONA GENERATOR TECHNOLOGY IN THE

AMOUNT OF \$41,796.00, PLUS TAX; SECONDED BY COUNCILWOMAN LOPAS; PASSED UNANIMOUSLY.

Councilwoman Suttles asked, in line with what Councilman Lamerson discussed on the previous item, if the cost can be shown as one lump sum including tax. Mr. Woodfill said that they can, but where they run into a problem is the variable tax rates across the state. He said that he does believe there is an exemption for emergency fire apparatus in the use tax, but there are other associated expenses.

- E. Acceptance of report from the Mayor's Advisory Committee on Unsewered Areas.

Marlin Kuykendall, Chairman of the Committee addressed the Council, stating that they had a proposed solution to an ongoing problem, although it is not a total solution. He then introduced the members of the committee: Khristine Davenport, Gary Worob, John Reed, Jim Hazelbaker, Adam Gabriella, Richard DeLaVeaga, along with Councilwoman Lopas and Michael Byrd of Prescott Creeks.

Mr. Kuykendall then read a sentence from the memo, *"As our members started exploring the facts concerning our committee's charge, it became evident that there are deep-seated feelings in our community regarding promises made decades ago. Many citizens in the North Prescott areas remember representatives of the City, in an effort to promote annexation of their neighborhoods, indicating sewers would be installed sometime in the future. They believed this would be at City expense."* He said that any time promises are made, people expect them to be fulfilled, and hopefully some day in the future, there can be some consideration given. The "how" is what future councils will have to determine. He said that one benefit to those without sewer is that they have not had to pay those sewer charges for those years, and they believe that is somewhat of an offset.

Mr. Kuykendall said that when they started, he was the one that said they needed to think outside the box. He said that they met with Mr. Woodfill and discussed all sorts of compromises and ways to find a method of installing sewer mains and paying for it, but they did not find anything. Every time they ran numbers, whether buy-in fees, monthly rates, there was no solution and it would take too long. They did not think it was fair to ask the citizens to go into debt to fund it.

He said that when they started the program they were looking at four areas, with a total of 610 housing units. In reality, there are about 1,300 homes in Prescott on septic. He said that added into the equation, even though it was not part of their charge.

He said that the committee members polled their neighborhoods and by and large there were far more people not interested in doing anything with improvement districts. There is no need in trying to do something that the population is already against.

He said that John Phillips, who lives in the North Prescott area, brought forth an EPA document that states that *“on-site systems are recognized as viable low-cost, long-term decentralized approaches to wastewater treatment if they’re planned, designed, installed, operated and maintained properly.”* It was easy to shift gears and ask, since they cannot build sewers, how they can do the best job. At this time, he said, it is important that the Council be aware that they had wonderful cooperation with staff.

Mr. Kuykendall said that Councilman Roecker had previously asked the question of whether there was a problem, and after working with the City and County, they believe working together they can create a program for voluntary testing of septic systems, particularly to those who suspect they have a malfunctioning on-site system.

He said that they did recognize that the City owns a couple of lakes and thought if they can do a good job with the septic systems, they may still have a problem with streets, creeks ditches, etc. that end up in the lakes. Even if they cleaned up the areas they are looking at, there is potential for contamination of the lakes and questioned why they would fix one and not the other. In working with Prescott Creeks, they started pursuing a possibility of doing some type of program.

He said that the Committee has given the Council some options, but it is now on the backs of the Council. He said that they acknowledge that whatever they do they will be criticized, but they are trying to find a funding source to get ahead of the problem, analyze it, identify it and find a fix without it becoming a crisis.

Mr. Kuykendall said that they are recommending that a watershed protection fund be established by adding on to everyone’s water bill a fee of \$.70 per month. This would allow them to form a relationship with Prescott Creeks to use their expertise and ability to obtain more money through grants available only to them, to pay for examination and cleanup of watersheds, and provide monetary assistance to citizens encountering system problems. He said that the eligibility guidelines would be defined by the Prescott City Council, and the program would include a public education program, that could be started in the City’s monthly water bills.

He said that they have citizens that fear that if they acknowledge they have a problem, the County will take action; however, the County has stated they cannot prosecute a homeowner if the parcel is inside the City

limits, so the City of Prescott is the responsible agency to make sure systems are working. It must rely on the City to prosecute under the building or nuisance codes. He said that the County is telling the City that they want to work with property owners, and they are willing to inspect the systems, but they cannot waive their inspection fees. He said that perhaps the City's fund could help in hardship areas.

Mr. Kuykendall said that the Council indicated that there is approximately one failure a month, including those in the County area. It is not a major thing. He said that the committee members should be commended for the work they have done and their interest in the problem, and they thank the staff for their assistance. He said that it is now in the Council's hands and they hope that the report is of some benefit to them.

Councilwoman Suttles asked if there would be a level suggested for assistance with problem areas. She said that one family could easily empty the fund. Mr. Kuykendall said that a fix, not a replacement, can be anywhere from \$2,500 to \$10,000. He said that they would have to look at how long it has been working, and there are some trade-offs. He said that if the Council gets into this, he thinks that Mr. McConnell, Ms. Tucker and Mr. Holt can come up with a good program. He said that there could also be some block grant monies available for some of the big things.

Councilwoman Suttles said that the report gives them more information and is concise. She said that they have given the Council an easy sheet to work from, although she realizes that they probably did not get buy-in from everyone.

Councilman Lamerson thanked the Committee, stating it was a very informative report, and it was a learning experience. He said that he appreciated Councilwoman Lopas's comments that it was not just about septic, but recharge capability of water and the standard they have to meet. He said that he thought the Committee did a good job. It is important for the community to recognize that it is not about fixing a little problem in the City; it is a huge problem communitywide, and what is being proposed may be a more palatable thing. He said that this may be a short-term solution to a long-term goal. Mr. Kuykendall said that the length of time will be determined by money. What they have discovered is that septic tanks are not a short-term fix; they can be a long-term fix also if they are operating properly.

Councilman Bell said that he really appreciated what the Committee did. He attended a few of the meetings and knows how hard they worked. He said that they are asking for a log of buy-in from Prescott Creeks, and he was assuming that Michael Byrd had been involved in the discussions and if his board was cooperating as well.

Mr. Byrd responded that he was asked to be part of the Committee, and he viewed his role as advisory. From the outside, his understanding was there was a direct tie between septic and water quality issues, but they do not know for certain. With Prescott Creek's testing and ADEQ they have found no data, but they do believe that it is something that warrants future investigation. He said that they have investigations on other things going on and this may be one piece of the puzzle.

He said that in regard to the watershed protection fund, he has discussed that with his Board and conceptually his Board and he were very supportive. They think it is a creative solution with short-term and long-term considerations.

Mayor Wilson asked if there were other views of committee members that had not been represented. Mr. Kuykendall said that there has been dialogue and disagreements, with full respect. When they started they said it would be the most transparent democratic committee Prescott has ever seen, and he can say it has been. He said that one of the Committee members, Jim Hazelbaker, lives in the North Prescott area and is more directly affected. He has concerns and he would hope that he would take the moment to express his feelings.

Mr. Hazelbaker said that they have lived in the North Prescott area for close to 16 years. Various councilmembers and a past mayor have been to his house to see what they are faced with. He and his wife started a petition 16 years ago, and they are no farther now than when they started. He said that the people coming before the Council have heard the same things over and over. They were promised and it has not been kept. It has been a top priority for the last three mayors and it is something that needs to be done as soon as possible. He hopes they do not put it on the backburner like in the past. All of the people he has talked with, except one, want a sewer system; they do not want and do not feel that it is up to them to put the line in—it is up to the City. As several of the Council members have said in the past, the City is to do things for people that they cannot do for themselves, and that would be a lot of burden to put on individuals.

Councilwoman Lopas said that she had the honor of serving with the Committee, and she always loves citizens committees and volunteerism. It is wonderful to have a mini brain trust to try and solve problems. She thanked everyone that served on the Committee.

Mayor Wilson said that they can accept the report, but the real issue is what they do now. He asked for input from the Council. Councilwoman Suttles said that it is her understanding that all they can do at this time is

accept the report, and bring further action back to a future agenda for consideration.

COUNCILWOMAN SUTTLES MOVED TO ACCEPT THE REPORT OF THE MAYOR’S ADVISORY COMMITTEE ON UNSEWERED AREAS; SECONDED BY COUNCILWOMAN LOPAS; PASSED UNANIMOUSLY.

Councilman Roecker said that the overriding issue is the need to protect the lakes in the long-term. He heard that the County will not fine someone if they volunteer to have their septic looked at, but also heard that they won’t waive the fees to do that. He heard that the current sewer users would pay \$.70 a month, starting at a date certain, to develop a fund to assist with solving the problem. Lastly, he heard that there will be an amount needed or established for those needing assistance to fix their septic system if there is a problem, and there has to be some equitable number for those people. Mr. Kuykendall said that the \$.70 fee would be charged to everyone on water. He said that septic systems are part of the problem and this is a part of the fix, but there are other problems such as when they have hard rains and have a sewer main break, that has to be fixed also.

Councilman Roecker said that they know from discussions with Mr. Hazelbaker that there are specific issues in the northside sewer area and if they can agree that they need to protect their lakes and agree that Prescott Creeks can help them with those issues, then those are taken care of. If they can agree that they should all be paying \$.70 a month, he thinks they are moving toward a solution short of sewer everywhere.

Mayor Wilson asked if everyone was happy with asking Mr. Norwood to bring the issue back for future discussions, with discussion with Prescott Creeks.

- F. Adoption of Resolution No. 3910-0916 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona declaring, for purposes of Section 1.150-2 of the Federal Treasury Regulations, official intent to be reimbursed in connection with certain capital expenditures relating to the “Wastewater System Fund – Collection and Treatment System Program” and “Water System Fund – Production and Distribution System Program.”

Mr. Woodfill said that during the fiscal year 2009 budget, the water and wastewater fund anticipated several bond issues--\$21 million in the wastewater fund and \$19 million in the water fund. He said that they had started several of those projects, but because of current market conditions and the fact they like to pool their issuance of debt to save on the cost, they need to wait on issuing the debt and use internal loans to cover the

projects at this time. The Internal Revenue Services requires a resolution by Council acknowledging the intent to repay those loans.

COUNCILMAN BELL MOVED TO ADOPT RESOLUTION NO. 3910-0916; SECONDED BY COUNCILWOMAN SUTTLES; PASSED UNANIMOUSLY.

- G. Public Hearing for Major General Plan Amendment, West Airport Area, comprising approximately 2600 acres, Owners: Deep Well Ranches, Inc., Arizona State Land, and Ty Myers; Agent: City of Prescott.

Councilwoman Suttles acknowledged that the Council had been presented with letters from the Yavapai Trails Association and Nikki Krause in Pinon Oaks.

Mr. Guice started the review by stating that this major general plan amendment was on the agenda as a result of discussions earlier this year where staff was directed to begin working with property owners in the vicinity of the airport to identify development potential and properties for possible annexation into the city. Since February, they have worked with Deep Well Ranches, who owns approximately 1800 acres and the State of Arizona that owns approximately 800 acres of State Trust lands.

He said that the existing land use designations are agriculture and ranching for the vast majority of the area, and he then reviewed the different areas on the map. Establishing the existing or most likely land uses is the first step in a series of studies or analyses that come after that in determining the ultimate development potential and annexation potential of the properties. With the approval of this major general plan amendment, the property owners would be able to prepare more specific and detailed master plans and the City would be in a better position to be able to conduct very specific infrastructure analyses.

Mr. Guice said that the firm of Coe & Van Loo did the land use study and prepared the general plan land use map, working very closely with the property owners, as well as Louis Berger & Associates, the firm doing the Airport Master Plan Update. He then reviewed the proposed land use map, which provides a wide range of residential, commercial and commercial employment related type uses.

He said that the Planning and Zoning Commission, at their public hearings, spent quite a bit of time talking about the proposed location of the medium high density residential and its relationship to the airport. The Coe & Van Loo's response in looking at the analysis was that multifamily (higher density residential) is being proposed as a buffer between lower density residential to the west and higher intensity commercial and

commercial employment land uses along the major existing arterials. The roadway alignments shown are just conceptual and it would not be until such time that specific annexation requests and transportation studies are done that the actual alignments of any roads would be determined.

Mr. Guice said that there was an addendum to the Louis Berger Group's Airport Master Plan contract for the specific purpose of doing a land use compatibility analysis for properties located outside the airport. Typically airport master plans address only properties within the airport proper. There were six zones identified in the compatibility analysis and the FAA refers to the zones as impact zones, referring to the influence or impact of the aircraft operations and overflight. Zones 1, 2, 3 and 5 exist in close proximity and expand just outside the airport boundaries. Zones 4 and 6 extend further away from the airport, with Zone 4 extending off of the main runway and cross-wind runways and Zone 6 is called the traffic pattern zone, which is a mile wide centerline on the primary runway.

He said that the Airport staff has been involved in the general plan amendment, as well as the Airport Master Plan and the Louis Berger Land Use Analysis. They have advised that although the proposal may not provide ideal airport protection, it does establish a basis for which they can work assuming and provided that the City would continue to require aviation easements at the time that properties in the vicinity of the airport were annexed, and that residential development would be clustered, that within Zone 6, away from the airport.

Additional recommendation is that the existing code requirements in Article V of the Airport Overlay District related to noise attenuation would be extended for development occurring within zone 6. Finally, it was suggested that Part 77 on the air space plan related to the height requirements also be included in Article 5 of the Land Development Code.

Mayor Wilson asked what the status was of the Airport Master Plan in relationship to the map showing. Mr. Guice said that there is a second component of the diagram which is a table currently existing in the Land Development Code showing compatible uses. They are currently in the process of updating that and will be bringing that back as part of the Land Development Code amendment, but it may be better asked of Mr. Vardiman.

Mayor Wilson said that his concern is with one of the letters passed out at the meeting talks about inadequate consideration of airport planning. Mr. Guice said that there is considerable integration between land use effort and the Airport Part 77 (Master Plan). He said that it ultimately comes down to local control; the community is going to adopt the regulations they see fit and appropriate for controlling development in the

vicinity of the airport. The FAA provides guidelines in the Part 150, mainly noise related, and what Council is seeing is a modification of that, which allows for some residential within Zone 6, with the aviation easements, residential development clustering, noise attenuation and the Part 77 height requirements.

Mr. Guice said that the citizen participation process they used is spelled out in the Arizona Revised Statutes. The Planning and Zoning was required to hold two public hearings at two different locations. Growing Smarter legislation requires the City to achieve as much maximum feasible citizen participation. Staff mailed out over 1200 notices as part of the notification of properties in the immediate vicinity of the map amendment. In addition, they held an area meeting at the end of September, two public hearings by the Commission, they received about 50-60 phone calls from those mostly interested in obtaining more information and they provided a summary in the Council agenda of the issues brought up at the area meeting and public hearings. They provided copies of written correspondence at time of packet. The Planning and Zoning Commission did recommend 5-0 for approval of the application.

Mayor Wilson said that the second pointed addressed in the letter from Yavapai Trails Association referred to including trails and open space in the general plan. He said that he thought those types of items were done at the time things are zoned. Mr. Guice said that Growing Smarter requires that communities cannot include open space unless there is agreement by the property owners. The current property owners have agreed to what is on the drawing. It is not that the property owner is opposed, but more the question of what is the appropriate time.

Mr. Guice said that it was similar with the Fann annexation. At the time of the annexation it did not show open space, but when the master plan was reviewed, it included much greater detail with considerable open space. He said that it is not appropriate to show a detailed level of open space and trails on a general plan.

Councilwoman Lopas said that prior to the meeting today she and Councilmen Luzius and Bell met with Joyce Mackin, who had voiced concern with the zoning. She said that they explained that if they tie their hands too much on the land, then they will rule out form-based zoning; they want to have flexibility when the plats come in.

Councilman Luzius said that they discussed the fact that open space would be determined at the time of zoning or development agreement and he thought that Ms. Mackin was in agreement with that when they closed their discussion.

Ms. Mackin, 1235 W. Merrell (Williamson Valley Estates) replied that she was not in total agreement, but it was logical if she could not arrive at one house per two acres.

Councilman Luzius said that he recalls at one of the Airport Master Plan meetings that there are guidelines brought forth by the FAA, and some of them are pretty stringent. He said that in Zone 6 they recommend zero inhabitants, and he asked how they would get around that and if it is was legal to circumvent the FAA's recommendations.

Mr. Guice said that it is legal for the City to adopt regulations that regulate land use in the vicinity of the airport. The FAA defers to local control. On the basis of what is being proposed, they are using those guidelines with respect to Zones 1-5, If there is a departure, it is with Zone 6, but with the four bullet points addressed earlier, it is possible to protect the airport.

Councilman Luzius asked if that would be detrimental to the City since they depend on the FAA for funding. Mr. Vardiman, Airport Manager, said that airport staff is very comfortable with what is being shown. With the four conditions in Zone 6, those components protect the airport as good as possible. The FAA guidelines are guidelines only. They defer to local jurisdictions to protect airports adequately and staff believes they are protected.

Councilman Luzius said that he hears what they are saying, but there are people in Pinon Oaks that complain about the airport and it was there when they bought. He wants to deviate away from that type of hogwash and protect the airport so they don't have problems with noise in the future.

Mr. Norwood said that it is important to understand that today is a public hearing only; there will be another one on November 25.

David Crooks, 5699 Fox Club Place, said that he believes he lives in Zone 6 where the tankers go over their house. He said that they do not mind that, but they do worry about the automobile traffic coming down Willow Creek Road. He asked if anyone has done a study of that area. Mr. McConnell said that several weeks ago the Council awarded a contract for an Airport Area Transportation Plan which will extend until next spring that will address traffic circulation, both existing and at build out. They do not know how that will end up, but it will configure the highway system and look at key intersections.

Mr. Crooks asked if the highways would be improved before residences are built. Mayor Wilson said that he would think so. He said that at this time they are only looking at the general plan amendment. They still would

have to do the annexation and development agreement. Those all take time; as Mr. Guice mentioned, this is just the first step. He said that they are about seven to eight months from knowing what the outcome is and what the implications will be.

Mayor Wilson said that one thing they are trying to do is look at overall planning for areas that are going to be annexed at some time. They want to make sure that when they plan, that they are aware of the infrastructure needed. He said that that is what Mr. McConnell's main job is.

Mr. Crooks asked if there were copies of the two maps available. Mr. Guice said that they are available on the web and staff could also get them a hard copy.

Ronnie Rummel, 1305 W. Cliff Rose Rd. in the Williamson Valley Estates area, said she has listened carefully to the Planning and Zoning Commission and City Council, and she is hoping that those that are passionate about open space serve for a long time. She would like to make sure that it goes on record that there are a number of them living in the Williamson Valley Estates area that are concerned with open space and density on the property near theirs. She said that whenever the time comes for considering open space, she wants them to consider that they are supportive of a lower density and open space preservation.

COUNCILMAN LUZIUS MOVED TO CONTINUE THE PUBLIC HEARING TO THE NOVEMBER 18, 2008 MEETING; SECONDED BY MAYOR WILSON; PASSED UNANIMOUSLY.

- H. Approval of the Minutes of the Prescott City Council Regular Voting Meeting of October 28, 2008.

COUNCILMAN ROECKER MOVED TO APPROVE THE MINUTES OF THE PRESCOTT CITY COUNCIL REGULAR VOTING MEETING OF OCTOBER 28, 2008; SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.

III. ADJOURNMENT

There being no further business to be discussed, the Prescott City Council Combined Study Session/Regular Voting Meeting of November 4, 2008, adjourned at 4:36 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 Combined Study Session/Regular Voting Meeting of the City Council of the City of Prescott, Arizona held on the 4th day of November, 2008. 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