



PRESCOTT CITY COUNCIL VOTING MEETING AGENDA *ACTION TAKEN*

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, JULY 14, 2009
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:** Rabbi William Berkowitz, Temple B'rith Shalom
- ◆ **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**

- I. PUBLIC COMMENT**

- A. Frank Creelman re issues related to the Fourth of July Parade.

- II. PRESENTATION**

- A. Presentation on Parks, Recreation and Library Month activities.

III. CONSENT AGENDA

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

ACTION: *MOVED to approve Consent Agenda Items III-A through III-H; passed unanimously.*

- A. Purchase two side-load refuse trucks with extended warranty from Trucks West of Phoenix in the amount of \$455,700.00.
- B. Adopt Ordinance No. 4707-1002 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, amending the Prescott City Code by Amending Title IV, Chapter 4-12 regarding Cable Television Systems.
- C. Adopt Ordinance No. 4706-1001 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, levying upon the assessed valuation of the property within the City of Prescott, subject to taxation, a certain sum upon each one hundred dollars (\$100.00) of valuation sufficient to raise the amount estimated to be required in the annual budget, less the amount estimated to be received from other sources of revenue; providing funds for various bond redemptions for the purpose of paying interest upon bonded indebtedness, and providing funds for the general municipal expenses, all for the fiscal year ending the 30th day of June, 2010.
- D. Approve annual support and licensing agreement with Tyler Technologies for Munis software in the amount of \$79,160.00.
- E. Adopt Resolution No. 3975-1001 - 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 (“IGA”) with Yavapai County Office of Emergency Management that establishes Unified Emergency Management for the tri-city area and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- F. Approve a Professional Services Agreement with Corollo Engineers in an amount not to exceed \$438,605.00 for the Airport Zone Production/ Recovery Well Site Project.
- G. Award contract to C&S Engineers, Inc. in the amount of \$210,325.00 (City Share \$30,325.00) for providing environmental services at the airport in

accordance with the U.S. National Environmental Policy Act (NEPA) requirements.

- H. Approve minutes of the Prescott City Council Public Workshop held on May 26, 2009, the Joint Special Meeting/Study Session of June 2, 2009, the Regular Voting Meeting of June 9, and the Joint Special Meeting/Study Session of June 16, 2009.

IV. REGULAR AGENDA

- A. Public Hearing and consideration of a liquor license application from Robert Thomas Pike, applicant for Piper Premium Beverages, for a Series 4, Wholesaler, license for Piper Premium Beverages located at 697 Sixth Street #104. (Public Hearing)

ACTION: *(1) MOVED to close the public hearing – passed unanimously; and (2) MOVED to approve/deny a liquor license application from Robert Thomas Pike, applicant for Piper Premium Beverages, for a Series 4, Wholesaler, license for Piper Premium Beverages located at 697 Sixth Street #104 – passed unanimously.*

- B. Approval of City of Prescott Resolutions to be presented to the Resolutions Committee of the League of Arizona Cities and Towns. (Pulled from Consent Agenda by all Council)

ACTION: *MOVED to submit the following resolutions to the League of Arizona Cities and Towns: Prescott Resolutions #1, 2 and 3 (previously submitted/adopted by the League); and Prescott Resolutions #4 and 5, (new, pertaining to elections) understanding that #4 and 5 could be pulled if necessary – passed unanimously.*

MOVED to co-sponsor Yuma #2 (enabling provision of emergency ambulance services) – passed 6-1 with Councilman Roecker casting the dissenting vote.

MOVED to co-sponsor Oro Valley #1 (support of Arizona Heritage Fund) – passed 6-1 with Councilman Lamerson casting the dissenting vote.

- C. Commission on Aging: (Pulled from Consent Agenda by Councilwoman Suttles)

This item was pulled from the agenda by Mayor Wilson at the beginning of the meeting.

1. Adoption of Resolution No. 3977-1003 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the creation of a Commission on Aging as a standing committee of the City of Prescott.
 2. Appointment of initial members to the Commission on Aging.
- D. Public Hearing and adoption of Resolution No. 3976-1002 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, proposing an extension of the Alternative Local Expenditure Limitation. (Public Hearing)

ACTION: *(1) MOVED to close the public hearing – passed unanimously; and (2) MOVED to adopt Resolution No. 3976-1002 – passed unanimously.*

- E. Lowe’s Project: (Pulled from Consent Agenda by all Council)

1. Adoption of Resolution No. 3978-1005 – 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 (“IGA”) with Yavapai County for building permit issuance, inspections and approvals for Yavapai County Assessor’s Parcel Numbers 112-05-049, 112-09-183 and 112-09-226B (Lowe’s).

ACTION: *MOVED to adopt Resolution No. 3978-1005 – passed 6-1 with Councilman Luzius casting the dissenting vote.*

2. Amendment to Lowe’s Site Plan, Grading Plan and Landscape Plan.

ACTION: *MOVED to approve the Lowe’s Amended portions of the Site, Grading and Landscape Plans dated June 15, 2009, subject to City Department Comments within Staff Report dated July 7 and 14, 2009 – SI05-002A – passed 6-1 with Councilman Luzius casting the dissenting vote.*

3. Approve the Memorandum of Understanding for Performance and Warranty Bond for the Lowe’s Project.

ACTION: *MOVED to approve the Memorandum of Understanding for Performance and Warranty*

Bond for the Lowe's Project – passed unanimously.

- F. Approval of Amendment One to Contract 2009-136 with A. Miner Contracting, Inc. in the amount of \$262,688.48 for the Zone 39 Water Main and Pump Station Upgrade Project. (Pulled from Consent Agenda by Councilman Luzius)

ACTION: MOVED to approve Amendment One to Contract 2009-136 with A. Miner Contracting, Inc. in the amount of \$262,688.48 for the Zone 39 Water Main and Pump Station Upgrade Project – passed unanimously.

- G. Adoption of Ordinance No. 4708-1003 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the purchase of real properties, easements and improvements from Donald A. and Lindsey S. Kesterson, as Co-Independent Executrix (also described as “Co-Executor”) of the Estate of Davis a. Kesterson, and Lindsey S. Kesterson, individually, for the widening of Iron Springs Road, and authorizing the Mayor and City staff to take all necessary steps to effectuate said purchases. (Pulled from Consent Agenda by Councilman Luzius)

ACTION: MOVED to adopt Ordinance No. 4708-1003 – passed unanimously.

- H. Adoption of Resolution No. 3973-1004 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into an Animal Shelter Service Agreement with Yavapai Humane Society, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above. (Pulled from Consent Agenda by all Council)

ACTION: MOVED to adopt Resolution No. 3973-1004 – passed 6-0 with Councilman Bell abstaining due to a conflict of interest.

- I. Continuance to public hearing on Granite Dells Ranch Rezoning RZ09-001 from July 14, 2009, to July 28, 2009.

ACTION: MOVED to continue the public hearing on Granite Dells Ranch Rezoning RZ09-001 from July 14, 2009, to July 28, 2009 – passed unanimously.

- J. Recess into Executive Session.

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

V. EXECUTIVE SESSION:

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to ARS §38-431.03(A)(3).
 - 1. Contractual issues associated with grant of easement for the City's 18" Chino Valley to Prescott water transmission line in the West Airport Area.
 - 2. Discussion of election process on charter amendment initiatives.

- B. Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property, pursuant to ARS §38-431.03(A)(7).
 - 1. Acquisition of property in west Prescott for public infrastructure improvements.

VI. ADJOURNMENT