

PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, SEPTEMBER 8, 2009
PRESCOTT, ARIZONA

MINUTES OF THE REGULAR VOTING MEETING OF THE PRESCOTT CITY COUNCIL held on TUESDAY, SEPTEMBER 8, 2009 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 3:00 p.m.

◆ **INTRODUCTIONS**

◆ **INVOCATION:** Lee Wiggins, The Heights Church

Mr. Wiggins was not present.

◆ **PLEDGE OF ALLEGIANCE:** Councilman Lamerson

Councilman Lamerson led the Council and audience in the Pledge of Allegiance.

◆ **ROLL CALL:**

PRESENT:

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

ABSENT:

None

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

City Manager Steve Norwood stated that the unofficial number of enplanements at the Airport was just over 1,000 for the month. He said that if the trend continues, they should reach the 10,000 mark by November, entitling the City to \$1 million from the Federal government for improvements at the Airport.

Mr. Norwood also reported that an audit was done on an ADOT project and the State's auditor found that the City had overpaid ADOT by \$43,000, which would be coming back to the City and going into the 1% street fund. Mayor Wilson

suggested that it be used to apply to a smaller project. Mr. Norwood said that they would look at that along with the recently-approved $\frac{3}{4}$ of one cent extension being successful.

I. PUBLIC COMMENTS

A. Frank Creelman re Police Department activities.

Frank Creelman held up a blown-up version of the Mayor's business card, and referred to the Core Beliefs of the City listed on the back. He said that he felt he had been treated with a great deal of disrespect the last time he was before the Council by Mr. Gill (Kidd), the City Attorney. He did not believe he acted with integrity, was not working as a team, and he did not believe he was very nice to him. He found out that Mr. Gill (Kidd) did not have a business card and suggested that the Council give him one, and then he could study the back of it and follow the Core Beliefs of the City.

Mr. Creelman said that he was there to discuss the SWAT Team issue he tried to discuss previously, and he said he was across the street the day it occurred. He had his door open as well as the tattoo guy across the street. Nothing happened until 6:30 a.m. when he went to leave and around the corner there was a SWAT team blocking off the roadway.

He said that he started digging into the issue and found problems with Officer's Cook report, and the fact that they did not bring out a PA system to yell at him to get out or he would have heard it. In the report it stated that Mr. Michael Turned walked out of the building and was arrested and three paragraphs later it states that someone from Lamb Chevrolet had come to repair the door that the SWAT team knocked down.

Mr. Creelman said that the second officer, who took Mr. Turner down to the station, gave him a personal breathalyzer test to see if he was cognizant and not drunk and tanked out at 11.8, five hours after the occurrence. He said that he works there at night, cleaned his deal up, and he likes to drink, which is not against the law, and went to sleep.

He said that from the people he interviewed he was told that the people there had given the SWAT team a key to the door, but they said they did not need it.

He said that the Police Department got a new toy that came out on the 18th and they tried it out on this situation. He said that the newspaper would not tell him who took the photograph that was in the newspaper.

He said that had there been gunfire all he would have had between him and the bullets was a piece of glass. They blocked up a highway for five

hours for a man that was drunk and barricaded himself, to allow the department to practice their new equipment and that was wrong. He said that they came around later and passed out pamphlets to get contact information, but that was late in the game. He said that if they were concerned they should have evacuated the area.

He suggested that the Mayor and Council educate the SWAT team. He said that he was submitting a verbal petition today and would like the Council to respond within 30 days.

B. Raymonde Sears re NACOG Voucher Program.

Raymonde Sears, Casa de Pinos, said that she wanted to talk about the NACOG vouchers. She said that she was a 80-year young citizen of Prescott, living at Casa de Pinos, which is a subsidized housing complex. They do not have access to transportation; therefore, the NACOG vouchers were a blessing to them which they do not have anymore.

She said that for the past 15 years she has volunteered at various organizations through Prescott, but since she no longer drives she has to find other forms of transportation. She has recently been depending on People Who Care and the Red Cross. When they are not available she has to call for a taxi, which is expensive.

She said that she understood that Prescott Valley and Chino Valley were still receiving help from NACOG and asked why Prescott could not afford the same assistance. She said that Prescott has almost double the number of senior citizens over the national average, according to the 2000 Census.

She implored the City Council to please reconsider the issue. She then presented a petition signed by many senior citizens in low-income housing.

Mr. McConnell said that the City was recently advised by the State that there would be LTAF II monies, around \$60,000, which the City could match with \$15,000, and they anticipate having that item on next week's agenda to provide direction to apply for NACOG to set up the program as in the past. He said that apparently the budget bills which were approved recently did not affect that LTAF II money.

Councilman Bell asked if there was a possibility of asking NACOG to forgo, or reduce, their 15% take on the amount, considering the economy. Mr. McConnell said that they could request that, but like everyone else they require money to operate and have the same budget issues.

C. Jeff Demand re Christmas lighting and Memorial Island at Gurley/Sheldon.

Mr. Demand said that he was before the Council to discuss a few items. The first was regarding Memorial Park (at Gurley/Sheldon) which was currently owned by ADOT and would soon be under City ownership. He has heard of the City's plan to remove the grass and he considers that Prescott's front yard and to remove the grass and lay down rocks will make it look like "Anywhere Arizona." He said that to remove the grass to reduce water use would be a "drop in the bucket" when it goes to water savings and the City needs to take a different green approach and keep it green, along with colorful vegetation.

Also, shortly before the passing of Gheral Brownlow, he called him and gave him the instructions on how to obtain the necessary permits for decorating that park which is done each year through the Brownlow, Brutinel and Linn families. The City provides the electricity, which he was thankful for, and he also thanked Home Depot and Prescott True Value for their support over the years.

To change that park would make decorating it a challenge. In his conversation with Mr. Brownlow, he had indicated a concern of Prescott losing its name as Arizona's Official Christmas City, and also expressed concerns about the courthouse lighting.

He said that not long ago Mr. Brownlow and fellow softball players, jail trustees and various volunteers decorated the courthouse plaza. Now a professional company has been hired at a cost of roughly \$80,000 a year. He misses some of the old decorations. He has located them in a County storage facility and they are either broken or in need of serious repair. The practice of wrapping lights around the tree trunks should come to an end. Wrapping lights around the trunks is for palm trees, not the tall gorgeous trees they have surrounding the courthouse. As one walks down the sidewalk and looks up the trees canopies meet each other and make an almost cathedral ceiling effect; he would like to see the lights in those canopies.

Mr. Demand said that other cities in the State have become very aggressive in their lighting plans, such as Glendale and look better than Prescott; however, they were spending a lot more than Prescott.

He said that it has also come to his attention that the funding for this year's courthouse lighting is not there. A special event is planned for Saturday, September 19, called Christmas in September, at the Marina Room at Hassayampa Inn and he encouraged anyone that would attend to do so. Other people and businesses in the City are taking grass root efforts collecting money, such as Tommy Meredith at the Jersey Lilly's

Saloon and others. With all of these actions by the citizens he would hope that it would encourage the City to increase its funding and support as well.

Councilwoman Suttles thanked Mr. Demand and said she appreciated him coming to the Council. She said that for his information, and that of others, there was a study to be done on whether to zeriscape that park, and she would never put in rocks as it is a Gateway Park. She said that she appreciated his opinion and encouraged him to come back when they were discussing the park further.

D. Guy Roginson re Annual Prescott Founders Run for Make-a-Wish Foundation.

Guy Roginson, said that he and Frank Schankwitz, the Worldwide Founder of Make-a-Wish Foundation, along with Linda Thein of Bucky's and Yavapai Casino, were there to tell everyone of a bike rally they have planned for Prescott. He said that it is their second year and it is a unique opportunity for Prescott and today he wanted to to dispel some rumors about "bikers." He said that Laughlin brings in over 60,000 at their River Run; Sturgis has over 300,000 in attendance. They stay for multiple days in the City. He said that Mr. Schankwitz wants to make this his home. With the support of the casinos, who is donating property, time and a lot of money to give away a bike to attract motorcyclists, the next ride is Saturday, October 17.

He asked the Council to think about the opportunities the City could have with a multiple-day event. He said that these bikes are currently running between \$25,000 to \$80,000 and the average riders are not trouble makers; they are business owners, doctors, lawyers, and drink some beer after the ride. He said that during the building years they are one-day events but they want to eventually make them multiple day events. He said that all of the proceeds from the ride directly benefit Make-a-Wish for children between 2 ½ and 18 years of age.

Mr. Schankwitz said that he was raised in Prescott and although he left for awhile he was glad to be back home for the past ten years. He said that the Make-a-Wish Foundation started with a little boy who wanted to be a motorcycle officer. At the time he was a bike officer and he made that happen, and that is how it began. He said that he recently came back from Sioux City, South Dakota where they had a three-day, family-type run that drew in 6,1000 riders, and raised \$181,000 for Make-a-Wish Foundation. He said that it is a community of 142,000 people and they had riders from all over the country. He said that he would like to do this both for Make-a-Wish and also for the economy of Prescott.

Additionally, he said that he has in the works an ABC television series, with a pilot scheduled in April that will follow Make-a-Wish riders going across the country and one of the stops will be in Prescott. He said that it is a series that will follow Extreme Home Makeover. He added that they were asking for support of this type of ride that would be family-friendly. He said that they have eliminated the bar stops for poker runs as they do not want to encourage any drinking until after the rides.

Linda Thein said that the event is far greater than the casino's property alone. She said that they hoped the Council would look at that and support it.

Mayor Wilson noted that the City Attorney is a rider, as well as Dr. Jim Horton of Yavapai College.

Councilman Roecker asked how someone would get involved. Ms. Thein said they could visit www.prescottfoundersrun.com and also www.buckyscasino.com. Mr. Roginson said that they could also participate by riding.

E. Comments by members of the Vote Yes for Streets Committee re election results.

Dave Maurer, Treasurer of the Vote Yes for Streets Committee, said that they wanted to thank the Council for asking for the public opinion poll and believing in the results, and then referring it to the voters. He said that they had a unique committee put together made up of the business community, contractors, citizen taxpayers, and open space advocates.

He said that Jason Gisi and Tom Pettit were Co-Chairmen who not able to be at the meeting today, with Jason in his capacity as Chairman of the Central Arizona Partnership and Tom with the Open Space Alliance; himself from the Chamber; Bill Sonson from Citizens Tax Committee; Sandy Griffis of the Contractors Association, Steve Conrad from CAP and Jim Lawrence, who not only put together the PowerPoint that many saw, but also got their website set up.

He said that the purpose today was not to take credit, but to thank the Council for their foresight to put this before the voters. He said that although the polls showed that it would pass, they took nothing for granted. He thanked City staff, particularly Laurie Hadley, Mark Nietupski and Mark Woodfill.

Councilwoman Suttles said that as a sitting Council person, she wanted to thank the voters of the City that voted 64% in favor of the streets. She said that she thought they understood the issue and had the faith in the Council

to carry it forward. She encouraged anyone who had a question to come to them.

II. PROCLAMATIONS

A. September 2009 as *National Alcohol and Drug Addiction Recovery Month*.

Councilman Luzius read the proclamation proclaiming September 2009 as *National Alcohol and Drug Addiction Recovery Month* and presented it to Mr. Schuderer of the West Yavapai Guidance Clinic, who said he was also a member of the MATForce Intervention Worker Committee and a Committee member for the Recovery Day Activity that they have scheduled for September 26, 2009 at the Courthouse Square. He invited everyone to join them between 10:00 a.m. and 1:00 p.m. where they will have live music, inspirational speakers and an opportunity to see all of the resources in the City available to address addition and recovery.

B. September 18 – 25, 2009 as *Employer of the Guard and Reserve Week*.

Councilman Bell read the proclamation proclaiming September 18-25, 2009 as *Employer of the Guard and Reserve Week* and presented it to Scott Essex, Luke Sutton and Butch Wise of the Employer Support of the Guard and Reserve organization.

Mr. Essex, State Chairman of the ESGR, said that they were representing almost 14,000 reserve members and 3,500 employers, and they wanted to thank the City for their support of the Reserve. He said that this week coincides with the Freedom Award given out in Washington, DC to 15 businesses in the nation that have been supporters and he will be there to witness an Arizona business, TriWest Health Care, receive the award.

Mr. Wise said that he has been working with Prescott for several years and he understood that the Prescott Fire Department currently has a member deployed in the Marines. He said that it was obvious that Prescott supports all of their men and women. At this time he presented a certificate of recognition for the City's support.

Mr. Sutton said that he has been in the Prescott Guard and wanted to thank the citizens and Council of Prescott for their support.

Councilman Bell recognized Pat Kuykendall in the audience, who he said was a former National Guard and a big supporter.

III. PRESENTATIONS

- A. Recognition of Tim McElwee, Battalion Chief, as *Safety Officer of the Year* awarded by the International Fire Chiefs Association – Safety, Health and Survival Section.

Emergency Services Director Darrell Willis invited Tim McElwee and his wife and daughter forward. He said that Mr. McElwee had actually received the award last week in Dallas from the International Association of Fire Chiefs for the Safety Officer of the Year. He said that it is an international award and he was chosen from the submittal of his supervisors and his 30 years of accomplishments.

Mr. McElwee said that it was a humbling experience. He said there are so many people across the country trying to make firefighters as safe as possible, including members of their own department, and it was an award for all of them. He then thanked the City and his family for their support.

- B. Presentation by Prescott Public Library re *National Library Card Month*.

Library Director Toni Kaus said that September was *National Library Card Sign Up Month* and Prescott was doing a membership drive as part of their observance. She said that the Prescott Public Library has unveiled a new library card, created by Joseph Davison to celebrate Prescott's Living Room. They then presented a new card for each member of Council and staff at the dais.

Ms. Kaus also invited everyone to attend the Mural Mice Play on the Lawn to be held September 26 at 6:00 p.m., and they then presented those at the dais special VIP invitations.

IV. CONSENT AGENDA

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

Mayor Wilson noted that Councilwoman Suttles had requested that Items A and F of the Consent Agenda be pulled for further discussion.

COUNCILMAN LAMERSON MOVED TO APPROVE CONSENT AGENDA ITEMS IV-B THROUGH I-E AND IV-G THROUGH IV-I; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

- B. Authorize Amendment #3 to a lease with River Hangar Corporation for the E1 Hangar at Ernest A. Love Field.

- C. Approve renewal of Airport General Liability Insurance Policy with Ace Property and Casualty Company in the amount of \$22,500.00.
- D. Approve Replat of Lot 19, Quail Hollow Units 1 & 2, creating two lots from one, located at the corner of McDonald Drive and Sycamore Canyon. (RP09-002, Owner, Ruth Hammett; Applicant, Lyon Engineering)
- E. Approve Special Use Permit for the Expansion of Auto Max located at 221 West Willis Street, with a waiver from LDC 2.4.9 (parking/landscaping setback). (SUP09-002)
- G. Adopt Ordinance 4716-1013 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona amending Title X, Land Development Code, of the Prescott City Code by providing for changes to Table 6.2.3, Section 11.1.3.D.3, Table 11.2. (LDC09-002)
- H. Adopt Resolution No. 3988-1018 – 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 the Yavapai County Flood Control District (YCFCD) and accepting funding in FY10 for an updated determination and mapping of the 100-year Floodplain for the Tributary Creeks of Granite Creek and Willow Creek, topographic mapping, and drainage improvement projects and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.
- I. Approve minutes of the Prescott City Council Special Meeting of August 25, 2009; the Regular Voting Meeting of August 25, 2009; the Special Meeting of August 31, 2009 and the Study Session of September 1, 2009.
- A. Approve agreement with Sharlot Hall for contribution from bed tax for special events in the amount of \$23,000.00.

Councilwoman Suttles said that she understood that the Sharlot Hall Museum had asked for the contribution, and asked if they had requested the five-year time period. Ms. Bristol said that it was a suggested term, but it could be altered by the Council. Councilwoman Suttles said that she had no problem with the Museum as they are a huge improvement to the City and what they do with the dollars they are able to received, but she was not comfortable with a five-year commitment. She said that she sees them as the Elks, Rodeo, Arts and Humanities, all of whom had annual contracts.

Councilman Roecker said that it makes sense to him, although he did not know how that would affect the Museum's planning. Mayor Wilson said

that he thought they could do a five-year contract, but it would still be reviewed annually, based on revenues.

Dr. Langellier of the Sharlot Hall Museum said that a five-year contract would be wonderful but he would be open and understanding to an annual resubmission, at which time they could give their annual report as well.

Councilman Lamerson said that he appreciated the conversation and also Dr. Langellier's understanding of the situation.

Councilman Roecker asked who owns the property on which the Museum is located. Dr. Langellier said that all but the Library property is owned by the State; the Library property is held by the 501(c)(3), the Historical Society.

Councilman Roecker asked if they could take everything off of the property if the State discontinued the Museum as had previously been proposed by the Governor. Dr. Langellier said that anything was a possibility.

Mayor Wilson noted that his wife is on the Museum's Board and their goal is to have the State give them the property, which would require legislation.

Dr. Langellier said that the strategic plan that the Board is looking at is a phase out to replace the State employees. At this time, he said, the State pays for 12 positions; everything else is paid for by the Foundation. He said that the State used to contribute approximately 65% of their budget; now it is roughly 45%.

Councilman Roecker said that if the State makes them pay anything for the property, any funds the City gives them now should be considered down payment for that purchase price.

Ms. Bristol said that the funding discussed today is intended to fund the events.

Councilman Luzius said that he would prefer to keep it at five years as it makes it easier for them to do their planning, but having it be at one year would not have him vote against it.

COUNCILWOMAN SUTTLES MOVED THAT THE BED TAX FOR THE SHARLOT HALL MUSEUM CONTRIBUTION BE A YEARLY CONTRIBUTION, LOOKED AT ACCORDINGLY WITH OTHER NON-PROFITS THAT WORK OUT OF THE BED TAX FUND, APPROVING THE AGREEMENT WITH A CHANGE TO SECTION 3 OF ONE YEAR

AT AN AMOUNT OF \$23,000 FOR THIS YEAR; SECONDED BY COUNCILMAN BELL.

Frank Creelman, 510 Copper Basin Road #44, said that he had a friend that had offered to work at the blacksmith shop at the Museum, but was told they did not need a blacksmith. The Museum later tore down the shop and he voiced concern with their integrity in the method that issue was dealt with.

Mr. Kidd told Mr. Creelman that he needed to be reasonably related to the issue at hand. Mr. Creelman said that he was opposed to taxpayer money being given to the Museum and asked where the blacksmith shop went to. He said that before they went further they should investigate the actions taken in April 2008.

MOTION PASSED UNANIMOUSLY.

- F. Approve Special Use Permit for Eco Oil Change located at 220 South Montezuma, with the following conditions: 1) waive LDC section 2.4.9 (parking/landscaping setback); 2) existing planters along the sidewalk ROW must be landscaped in a manner consistent with other landscaping in the downtown area, maintained by the business operator or owner and shall be kept weed free; 3) must be in general conformance of the site plan received 8-24-09; 4) Special Use Permit SUP09-003 shall not extend beyond a period of five years from Council approval date unless extended by City Council; and 5) fees for this SUP application shall be waived by Council. (SUP09-003)

Councilwoman Suttles said that she had asked this to be pulled from the Consent Agenda because she had received some e-mails and calls from citizens who were not excited. She said that she did not have a problem with the business and was glad they were going to do something on that corner. She said that she was glad that it was a temporary situation as some felt it should not be in the downtown area. She said that because of those comments from the public, she was not comfortable having it on the Consent Agenda.

Mayor Wilson said that if they looked at the historical basis, the property has had a gas station, oil change and car rental business in the past and did not see why this would not fit.

Councilwoman Lopas noted that the Prescott Preservation Commission went through every aspect of the process. Councilman Suttles said that it is something not everyone has a buy-in on, but she understood that the decision is made by the Council.

Councilman Lamerson said that they clamor in the community on how they want it to be what it was, but then they want to restrict people from the highest and best use of their property. He said that private property is an issue in Arizona and with him, and he did not see why they would not do this.

COUNCILMAN LUZIUS MOVED TO APPROVE THE SPECIAL USE PERMIT FOR ECO OIL CHANGE LOCATED AT 220 SOUTH MONTEZUMA, WITH THE FOLLOWING CONDITIONS: 1) WAIVE LDC SECTION 2.4.9 (PARKING/LANDSCAPING SETBACK); 2) EXISTING PLANTERS ALONG THE SIDEWALK R.O.W. MUST BE LANDSCAPED IN A MANNER CONSISTENT WITH OTHER LANDSCAPING IN THE DOWNTOWN AREA, MAINTAINED BY THE BUSINESS OPERATOR OR OWNER AND SHALL BE KEPT WEED FREE; 3) MUST BE IN GENERAL CONFORMANCE OF THE SITE PLAN RECEIVED 8-24-09; 4) SPECIAL USE PERMIT SUP09-003 SHALL NOT EXTEND BEYOND A PERIOD OF FIVE YEARS FROM COUNCIL APPROVAL DATE UNLESS EXTENDED BY CITY COUNCIL; AND 5) FEES FOR THIS SUP APPLICATION SHALL BE WAIVED BY COUNCIL; SECONDED BY COUNCILWOMAN LOPAS.

Steve Silvernale said that historically that was the site of a hotel which was burned in the fire of the early 1900's. He said that every community needs a mix of business and this fits in really well.

MOTION PASSED UNANIMOUSLY.

V. REGULAR AGENDA

- A. Public Hearing and consideration of liquor license application submitted by Danny Thomas, applicant for Prescott Inn & Suites, for a Series 11, Hotel/Motel, license for Prescott Inn & Suites located at 4499 Highway 69.

Ms. Burke said that this was a new application at Prescott Inn & Suites due to a change in ownership. She said that the property had been posted and the City had received no public input.

Mr. Wilson, Manager, said that they bought the property on July 16 and have been working to convert it to a Wyndam Garden Hotel, which they hope to have happen between November 4 and 6. He said that they will be the only four-star property in Prescott. He added that they are spending between \$2.5 and \$3.5 million in renovations, and have tried to use local contractors, vendors and people when possible.

Additionally, he said they would be the only green hotel in town, with every product made out of green materials. He said that they looked forward to a long relationship with the city.

Mayor Wilson said that he was excited to hear the plans and it was good news to the City. Councilman Lamerson thanked them for investing in Prescott and said they were excited to have them.

Danny Thomas, applicant for the hotel, said that they had hired him as a consultant since he spent 33 years in law enforcement, with the last 20 years in liquor control. Since retiring he has formed his own business and part of it is to help people with liquor licenses and make sure they comply with the liquor laws.

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

COUNCILMAN BELL MOVED TO APPROVE THE LIQUOR LICENSE APPLICATION SUBMITTED BY DANNY THOMAS, APPLICANT FOR PRESCOTT INN & SUITES, FOR A SERIES 11, HOTEL/MOTEL, LICENSE FOR PRESCOTT INN & SUITES LOCATED AT 4499 HIGHWAY 69; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- B. Public Hearing and consideration of liquor license application submitted by David Hallum, applicant for Hallum, Inc. for a new Series 10, Beer & Wine Store, license for Hallum Stores located at 909 E. Gurley Street.

Ms. Burke said that this was a new application at Hallum Stores located at 909 East Gurley Street. She said that the property had been posted and the City had received no public input. The store manager introduced himself for any questions that may be raised.

**COUNCILMAN LUZIUS MOVED TO CLOSE THE PUBLIC HEARING;
SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.**

COUNCILMAN LUZIUS MOVED TO APPROVE A LIQUOR LICENSE APPLICATION SUBMITTED BY DAVID HALLUM, APPLICANT FOR HALLUM, INC. FOR A NEW SERIES 10, BEER & WINE STORE, LICENSE FOR HALLUM STORES LOCATED AT 909 EAST GURLEY STREET; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- C. Award of bid and contract to Fann Environmental, LLC, for Water Meter Installation Services, in an amount not to exceed \$133,425.00. (Removed from Consent Agenda by Councilman Bell due to potential conflict of interest).

Councilman Bell recused himself from discussion for a potential conflict of interest. Mr. Nietupski briefly reviewed the item, noting that the amount would be available for renewal for the other routes in the future.

Councilwoman Suttles asked Mr. Nietupski for clarification on “radio read.” Mr. Nietupski said that the equipment helps with efficiency in gathering information in reading the meters. He said that it is no different than they operate now. If there is an individual with a question they can go back and re-read the meter.

Councilwoman Suttles asked how many routes they had. Mr. Nietupski said that when this project is done, there would be three left.

COUNCILMAN LAMERSON MOVED TO AWARD THE BID AND CONTRACT TO FANN ENVIRONMENTAL, LLC, FOR WATER METER INSTALLATION SERVICES, IN AN AMOUNT NOT TO EXCEED \$133,425.00; SECONDED BY COUNCILMAN ROECKER; PASSED 6-0 WITH COUNCILMAN BELL ABSTAINING.

- D. Approval of Official Canvass of Election Results from the Primary Election of September 1, 2009.

Ms. Burke reviewed the Official Canvass of the Primary Election held September 1, 2009, as follows:

**OFFICIAL CANVASS
PRIMARY ELECTION – SEPTEMBER 1, 2009**

NUMBER OF REGISTERED VOTERS:	26,549
NUMBER OF BALLOTS CAST IN THE ELECTION:	13,771
VOTER TURNOUT PERCENTAGE:	51.87%

MAYOR

Number of valid ballots for Mayor:	13,255
Number required to be elected in Primary:	6,629

Gooding, Glenn J.	3,197
Kuykendall, Marlin	7,365*
Wilson, Jack D.	2,662

COUNCIL

Number of valid ballots for Council:	13,515
Number required to be elected in Primary:	6,759

Behnke, Robert	2,926--
Bell, Bob	4,765**
Blair, Steve	5,818**
Hanna, John	5,917**
Katan, Paul	3,301--

Linn, Tammy	5,543**
Luzius, Robert	5,263**
Peters, Michael Allen	3,325**

Question:

Yes	8,344
No	4,642

*Elected in the Primary

**Will be on the General Election Ballot

COUNCILWOMAN SUTTLES MOVED TO APPROVE THE OFFICIAL CANVASS OF ELECTION RESULTS OF THE SEPTEMBER 1, 2009 PRIMARY ELECTION; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

VI. ADJOURNMENT

There being no further business to be discussed, the Regular Voting Meeting of the Prescott City Council held on September 8, 2009, adjourned at 4:17 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 Regular Voting Meeting of the City Council of the City of Prescott, Arizona held on the 8th day of September, 2009. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2009.

AFFIX
CITY SEAL

ELIZABETH A. BURKE, City Clerk