



PRESCOTT CITY COUNCIL COMBINED STUDY SESSION/ REGULAR VOTING MEETING A G E N D A *ACTION TAKEN*

**PRESCOTT CITY COUNCIL
COMBINED STUDY SES./REGULAR VOTING MEETING
TUESDAY, DECEMBER 15, 2009
3:00 P.M.**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Combined Study Session/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:**
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Lamerson
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall	
Councilman Blair	Councilwoman Linn
Councilman Hanna	Councilwoman Lopas
Councilman Lamerson	Councilwoman Suttles

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. PRESENTATION

- A. State Representative Lucy Mason re State of the State.
- B. Presentation by the Mayor's Bicycle Advisory Committee of the new Bicycling Opportunities Map.
- C. Presentation of check to Prescott Chamber of Commerce for Christmas Lighting.

II. REGULAR AGENDA

- A. Public Hearing and consideration of a liquor license application from Barry Lee Barbe, applicant for Monk's LLC, for a Series 12, Restaurant, license for Monk's located at 123 North Cortez.

ACTION: (1) *MOVED to close the public hearing – passed unanimously; and (2) MOVED to approve a liquor license application from Barry Lee Barbe, applicant for Monk's LLC, for a Series 12, Restaurant, license for Monk's located at 123 North Cortez – passed unanimously.*

- B. Public Hearing and consideration of a liquor license application from Randy Allen Guse, applicant for Walgreen Arizona Drug Company, for a Series 10, Beer & Wine Store, license for Walgreen #09292 located at 1310 Willow Creek Road.

ACTION: (1) *MOVED to close the public hearing – passed unanimously; and (2) MOVED to approve a liquor license application from Randy Allen Guse, applicant for Walgreen Arizona Drug Company, for a Series 10, Beer & Wine Store, license for Walgreen #09292 located at 1310 Willow Creek Road – passed unanimously.*

- C. Public Hearing and consideration of a liquor license application from Barry William Sydney Benson, applicant for Twin Lakes Market, for a Series 10, Beer & Wine Store, license for Twin Lakes Market located at 3122 North Highway 89.

ACTION: (1) *MOVED to close the public hearing – passed unanimously; and (2) MOVE to approve a liquor license application from Barry William Sydney Benson, applicant for Twin Lakes Market, for a Series 10, Beer & Wine Store, license for Twin Lakes Market located at 3122 North Highway 89 – passed unanimously.*

- D. Adoption of Resolution No. 3998-1028 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Memorandum of Understanding (MOU), with the Northern Arizona Council of Governments (NACOG) – Economic Workforce Development, providing for the administration of the Voucher Transit Program for fiscal year 2010 and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: *MOVED to adopt Resolution No. 3998-1028 – passed unanimously.*

- E. Acceptance of 2009 Arizona Department of Homeland Security Grants totaling \$90,900.00 for the Prescott Fire Department.

ACTION: *MOVED to accept the 2009 Arizona Department of Homeland Security Grants totaling \$90,900.00 for the Prescott Fire Department – passed unanimously.*

- F. Award of a three-year contract to both Fann Contracting, Inc., and Cemex, in an amount not to exceed \$150,000.00 per year for hot mix asphaltic concrete.

ACTION: *MOVED to award a three-year contract to both Fann Contracting, Inc., (first choice) and Cemex, in an amount not to exceed \$150,000.00 per year for hot mix asphaltic concrete – passed unanimously.*

- G. Award of a contract to Craftco, Inc., in accordance with ADOT contract T0721A0067 for a not-to-exceed amount of \$100,000.00 for asphaltic rubber crack sealant.

ACTION: *MOVED to award a contract to Craftco, Inc., in accordance with ADOT contract T0721A0067 for a not-to-exceed amount of \$100,000.00 for asphaltic rubber crack sealant – passed unanimously.*

- H. Approval of an agreement with Prescott Alternative Transportation (PAT) to advance funding in the amount of \$20,000.00 for implementation of the Safe Routes to School Program; and Approval of two grant applications to the Arizona Department of Transportation, in partnership with Prescott Alternative Transportation, for funding of infrastructure improvements under the Safe Routes to School Program.

ACTION: *MOVED to approve an agreement with Prescott Alternative Transportation (PAT) to advance funding in the amount of \$20,000.00 for implementation of the Safe Routes to School Program; and approve two grant applications to the Arizona Department of Transportation, in partnership with Prescott Alternative Transportation, for funding of infrastructure improvements under the Safe Routes to School Program – passed 5-2 with Councilwoman Suttles and Councilman Hanna casting the dissenting votes.*

- I. Adoption of Ordinance No. 4724-1021 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona abandoning a portion of an unused and unimproved roadway and utility easement that was reserved as a part of the original land patent and authorizing the Mayor and City staff to take all necessary steps to effectuate said abandonment.

ACTION: *MOVED to adopt Ordinance No. 4724-1021 – passed unanimously.*

- J. Adoption of Ordinance No. 4725-1022 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona granting a natural gas service utility easement to Yavapai Humane Society.

ACTION: *MOVED to adopt Ordinance No. 4725-1022 – passed unanimously.*

- K. Award of a professional services contract to Shephard Wesnitzer, Inc. for a Bio-Retention and Drywell Feasibility Study in an amount not to exceed \$34,480.00.

ACTION: *MOVED to award a professional services contract to Shephard Wesnitzer, Inc. for a Bio-Retention and Drywell Feasibility Study in an amount not to exceed \$34,480.00 – passed unanimously.*

- L. Acceptance of Quit Claim Deed from Qwest and approval of a Map of Dedication for additional Right-of-Way for Willow Lake Road.

1. Adoption of Ordinance No. 4726-1023 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting a Quit Claim Deed from Qwest for additional Willow Lake Road right-of-way and authorizing the Mayor and staff to execute any and all documents to effectuate the foregoing.

ACTION: *MOVED to adopt Ordinance No. 4726-1023 – passed unanimously.*

2. Adoption of Ordinance No. 4727-1024 – An ordinance of the Mayor and Council of the City of Prescott Yavapai County, Arizona, accepting the dedication of certain roadway located adjacent to Willow Lake Road within the City of Prescott and authorizing the Mayor and City staff to take necessary steps to complete acceptance and dedication as a City of Prescott public roadway.

ACTION: *MOVED to adopt Ordinance No. 4727-1024 – passed unanimously.*

- M. Approval of a Waiver of the Land Development Code Section 7.6.1, Financial Assurance, and acceptance of Subdivision Performance Bond No. 6576676 for Granite Dells Estates Phase IA Commercial Grading Improvements.

ACTION: *MOVED to approve a Waiver of the Land Development Code Section 7.6.1, Financial Assurance, and acceptance*

of Subdivision Performance Bond No. 6576676 for Granite Dells Estates Phase IA Commercial Grading Improvements on the condition that such grading comply with the Grading and Erosion Control Plans for Granite Dells Estates, Phase IA, prepared by Scott Lyon, August 12, 2009, and that such grading be completed by December 6, 2011, before expiration of the bond – passed unanimously.

- N. Approval of a Vote-by-Mail Election Services Agreement and Addendum with Yavapai County.

ACTION: *MOVED to approve a Vote-by-Mail Election Services Agreement and Addendum with Yavapai County – passed unanimously.*

- O. Approval of the Minutes of the Prescott City Council Workshop of December 1, 2009 and the Study Session of December 1, 2009.

ACTION: *MOVED to approve the Minutes of the Prescott City Council Workshop of December 1, 2009 and the Study Session of December 1, 2009 – passed unanimously.*

- P. Recess into Executive Session

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

III. 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. Raber v. City of Prescott

IV. ADJOURNMENT