PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, FEBRUARY 23, 2010
PRESCOTT, ARIZONA

MINUTES of the Prescott City Council Workshop held on January 26, 2010 in the City Hall Council Chambers, 201 South Cortez, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Kuykendall called the workshop to order at 1:01 p.m.

◆ **ROLL CALL**:

PRESENT:	ABSENT:
Mayor Kuykendall	None
Councilman Blair	
Councilman Hanna	
Councilman Lamerson	
Councilwoman Linn	
Councilwoman Lopas	
Councilwoman Suttles	

1. Discussion of design alternatives for the proposed Granite Dells Estates Road 39 crossing of the Peavine Trail.

Mayor Kuykendall said that the purpose of the workshop was to discuss the Peavine Trail and its crossing with Road 39. He said that staff would first make their presentation, followed by discussion of the Council, and then it would be opened to the public, and he understood there were a few public presentations. He said that it was quite possible that they would not finish today and in that case another workshop would be scheduled.

Mr. Nietupski said that they would be providing an engineering finding from Lyon Engineering, who the City contracted with in July of 2009. He said that all of the concepts evaluated provide for enhanced crossings at the trail and the study was accomplished using national standards. He said that they met with the public on September 24 and November 20, and comments received at those meetings were incorporated into the study. He pointed out that the Centerpointe East extension was designed as an at-grade crossing at the trail and it was currently under construction.

Kevin Horton, Lyon Engineering, gave a PowerPoint presentation, attached hereto and made a part hereof as Exhibit A, which addressed the following:

- OUTLINE

- PROJECT OVERVIEW

- LOCATION MAP

- TRAIL INFORMATION

- PROJECT BACKGROUND

- EXISTING CONDITIONS

Councilman Lamerson asked if he understood correctly that there would be no motorized vehicles allowed on the trails, other than maintenance vehicles. Mr. Horton said that was correct, however staff did note that motorized scooters were permitted, while golf carts were not.

- PROPOSED ROAD 39

- DESIGN CRITERIA

- **OPTION 1 – At-Grade Crossing**

Mr. Horton said that the signage shown is above the minimum requirements.

Councilwoman Suttles asked what other options they would have to increase safety at an at-grade crossing. Mr. Horton said that what was shown was the standards for trail crossings, but there are a lot of different options and he would cover them later in the presentation.

- **OPTION 2 – Grade Separated Peavine Overpass**

Councilman Blair asked if they had prepared a cost analysis for each option. Mr. Horton replied that they had and he would review those later. Councilwoman Linn said that she assumed that all of the options met Americans with Disabilities Act (ADA). Mr. Horton replied that they did.

Mr. Horton indicated on the drawing that along with this option, it include an at-grade bike path that would be available for pedestrians and horses, for those not wanting to use the overpass. Additionally, he said that the Fire Department asked for access to the trail at this location.

- **OPTION 3 – Grade Separated Peavine Underpass** (Road 39 at an elevated grade and a culvert for the trail)

Mr. Horton said that he had previously been asked why they could not lower the culverts and the answer was that there is a substantial amount of drainage at the existing location and if they lowered the box it would not drain.

- **OPTION 4 – Grade Separated Road 39 at an Alternate Location**

He said that this option was reviewed due to comments from concerned citizens as well as City staff, to move 315 feet south to a spot that would better suit a crossing. He said that the impact is that the developer would have to change the configuration of his subdivision and there would be substantial impact to other property owners. He said that it would impact about three acres of property.

Mr. Horton said that the Development Agreement specifies the nature of the crossing and its location. To do it at another location would require permission of a developer out of the control of this development. Councilwoman Suttles asked if the other developer had been approached. Mr. Horton said that they were aware of what was going on, but because they are only in conceptual stages, they had not been approached about an actual purchase.

Councilman Lamerson asked what the presumed impact was to the other person's property. Mr. Horton replied that it would require substantial fill slope and there would be a negative impact with regard to access. He said that it is harder to access off the large fill, and it would result in a loss of usable land. Additionally, it would create an oddly-shaped parcel, with an island of land between Road 39 right-of-way and the proposed Granite Dells Estates subdivision. He said that the land south of the Granite Dells Estates subdivision is not annexed into the City and is currently in Yavapai County, which creates further complications.

Councilman Hanna asked how big the piece was in Yavapai County. Mr. Horton said that he did not have the precise numbers but it was large.

- **OPTION 5 – Leaving Road 39 at existing elevation and lowering the trail with 12 x 12 box culverts.**

Mr. Horton said that this was the least preferable because of the negative impact of the drainage. It would require a sump pumping station.

Councilwoman Linn asked if any research had been done on the liability of the City with each of the options. Mr. Horton said that part of the analysis matrix includes safety, and Option 5 definitely had more liability on the part of the City, which was one of the reasons it received a lower score.

- AT-GRADE VS. GRADE SEPARATED WARRANTS

Mr. Horton said that another option was to build it now at-grade with enhancements, and consider building the overpass (trail over Road 39) at a later date if it was deemed necessary

- OPTION COST ESTIMATE SUMMARY

Councilwoman Linn asked if #4 included the cost of purchasing the three acres. Mr. Horton said that #2 and #4 did account for land acquisition.

- PUBLIC COMMENTS

- CROSSING DECISION MATRIX

Mr. Horton reviewed the matrix, showing that #1 received the highest score and #2 was the second highest; the worst was #5.

- RECOMMENDED OPTION – AT-GRADE CROSSING

Mr. Horton said that their recommendation was an at-grade crossing, considering additional enhancements of a raised crosswalk, separated median, rumble strips, and lighting. He said that additionally there were other enhancements that could be considered, which were signage/striping, stop signs, speed table and bollards, optional medians, medians/flashers, hybrid beacon (HAWK).

Councilwoman Suttles asked what the extra enhancements would cost. Mr. Horton said that at this point they have not incorporated the extra methods into the cost analysis. He said that the street light itself costs around $3,000 for the pole; the expense comes in the conduit which varies. He said that one thing they may consider is an optical eye that would sense someone on the trail and activate a flashing light.

Councilwoman Suttles said that they had a similar crossing on Gurley and Summit, and asked what that cost. Mr. Nietupski said that it was done in-house and ran between $5,000 and $10,000.

Mr. Nietupski noted that the $43,000 cost for Option #1 did include some level of enhancement, for the illuminations, medians, elevated crosswalk and additional signage.

Councilwoman Suttles complimented Lyon Engineering on the presentation and the report they had prepared.

Councilwoman Linn said that during the presentation Mr. Horton had mentioned that the pedestrians had the right of way, but in the drawings it showed the stop sign on the trail for the pedestrians. Mr. Horton explained that the stop sign was a level of awareness to let them know they were approaching an intersection.

Councilwoman Lopas said that in the report it states that cost was weighted at 25% because there were not any revenue sources. She asked why grants were not considered. Mr. Horton said that they weighted it 25% because of the lack of any identified current revenue sources. The grants are an option, but they were not a secure option and still questionable on whether it was available.

Councilwoman Lopas said that the trail will eventually connect to Chino Valley some day and people will continue to use it as a transportation choice. She said that she would put safety as the #1 thing to look at. She said that any time they can separate cars and people it is good. She said that guidelines do not look at a community and its uniqueness; it was a minimum standard.

She said that they were working on Prescott Rocks and she does not want to bring them here with an at-grade crossing. She would prefer to see it separated and felt that an at-grade crossing would be a mistake.

Councilman Lamerson asked if they have any way of knowing where the users come from. He said that if it is a tourism element, it would qualify for tourism promotion funding.

Ms. Horton said that they do not have that information, but they do have the numbers of people using it. She said that the closest way of knowing is by looking at the comments received, which she noted are from all over the world.

Councilman Lamerson said that from time to time they debate what tourism promotion is; it is not just about advertising. Ms. Horton said that she appreciated that point of view as this was a tourist asset.

Councilman Hanna said that he agreed with Councilwoman Lopas about safety; he did not feel there was anyone on the Council that did not consider safety as #1. He said that he knew the trail crossed at Storm Ranch Road and they had bollards there. He asked if they ever had an accident reported there. Mr. Smith said that it is the driveway to the Sievers house. They do not have any knowledge of any accident. They do have stop signs for the road and trail at that location.

Mayor Kuykendall said that the day is coming, though they do not know when, that the 400+ acres at Storm Ranch would be developed. He asked if any consideration had been given to how that property would be developed in relation to the trail. Mr. Smith said that not specifically. He said that when Doug Patterson of Scottsdale was looking to purchase the property there was a location identified

about 200' from the existing road crossing where it was built high on a fill slope, and it was identified as a location where they could have a separated grade crossing.

Mayor Kuykendall asked what would be required to prepare Road 39 for an overpass in the future. Mr. Horton said that when the final design is implemented and they decide to move forward with an at-grade crossing, the design would need to move the crossing location to one side or the other for an eventual bridge. No additional right-of-way would be required.

Mr. Kuykendall then opened it up for the public. He said that there were a few presentations to be made, and he asked that they not make it into a popularity contest. He asked that whatever was said not be a repeat of a previous comment.

Rob Hehlen, on behalf of the Trail Advocate Group, which he said was actually a group formed at the meetings, had put together a presentation, attached hereto and made a part hereof as Exhibit B, which addressed:

- THE PEAVINE TRAIL
- PEAVINE TRAIL ADVOCATE GROUP
- ROAD 39 CROSSING GOALS
- PEAVINE'S PAST
- PEAVINE'S PRESENT
- ENGINEER'S REPORT
- ONE AVERAGE PEDESTRIAN?
- DECISION MATRIX GRAPH
- COSTS TO TAXPAYERS
- GRADE SEPARATED - ALTERNATIVE DESIGNS
- ALTERNATE DESIGN – BRIDGE OVERPASS
- PEAVINE'S FUTURE
- PEAVINE/ROAD 39 CROSSING – SUMMARY
- THE NOT TO EXCEED 5 YEAR PLAN

Councilman Blair said that he knows how the Parks and Recreation Department functions and he was sure Ms. Horton and her staff had different visions of grants they would already be applying for. He asked her if they would move this application to the head of the list. Ms. Horton replied that they absolutely would.

Councilman Lamerson said that a lot of times they do not think of cause and effect before they go through with things, and sometimes it is better to sit back and take a look at what is being done. He just heard about an industrial area in this part of the City and when they talk about pedestrians, bicycles, it reminds him of the mess they have on Sixth Street or Gurley Street. He said that they need to take some time and do it right the first time.

Bruce McKeeman of the Trail Advocate Group, a coalition of eight trail groups, representing about 1000 members, was created at the request of the City Engineer to provide a cohesive, coordinated review in response to issues concerning this proposed crossing.

He said that the Peavine Trail is a special and unique resource for the City and the region. It is owned by the City and close to $1 million has been spent to acquire the right-of-way, improve the trail and develop a great trailhead at Sundog Ranch. It has extensive historical significance which attracts visitors. It is designated as a National Recreation Trail, State of Arizona Trail, and is the premier rails to trails trail in the State of Arizona. It is nationally known and attracts tourists to Prescott who provide significant economic benefit to the City.

The trail provides increased tourism opportunities which will provide increased revenues and more jobs in Prescott. There is a very high correlation between the quality of the trail experience and the likelihood of a return visit. Trail users spend, per trail visit, between $7 to $118 in local goods and services. They tend to increase property values which result in increased tax revenues.

Trails ranked as the second most important community amenity based on a National Association of Realtors' survey. Businesses lured by tax incentives tended to leave once those incentives were gone, but those that located due to quality of life issues remained and became long-term residents and taxpayers.

They believe that in order to maintain and retain the attractiveness and economic viability of the Peavine, it is critical to preserve the integrity and experience of the trail by not creating at-grade crossings. The engineering study primarily focuses on one aspect of the proposal—engineering options to place a road crossing on trail. The study does not adequately take into account the safety of the public or protection of the trail as an important resource of the community and the region.

He said that they believe that the safest option should be chosen, the most cost-effective option and the option that best protects a valuable community resource.

The study needs to be examined in an equitable and fair manner. The changes suggested in Options 2 and 3 make them a better choice in terms of safety, visitor use and cost. They fully support and request that the Council select one of the grade-separated crossings and believe that either Option 2 (without the at-grade bypass) or Option 3, with a better-designed and less costly underpass culvert, were the best solutions.

Councilwoman Suttles asked Ms. Horton if there was a reason they had not applied for the grant before. Ms. Horton said that she does not know that there is one. She said that they get buried in the day-to-day operations and sometimes do not think outside of the box. She said that if the Council gave them that opportunity, they would make it #1.

Councilwoman Suttles said that it was suggested that if the City was not lucky enough to get the grant then the City would pull $50,000 out of the budget for a few years and be able to build the overpass within a five-year period. She asked if that would come out of the Parks and Recreation budget. Mr. Norwood replied that it would. Ms. Horton said that she would hope they would also consider using some of the one-cent or tourism dollars, but if dictated, they would work on that.

Councilman Blair said that as someone with a degree in Parks and Recreation and Park Design, and his stance on user fees, there is no money to take the $50,000 from. He said that if they had 100 users a day paying $.50 to use the trail, they could raise $182,000 ($18,200) and the trail users could do whatever they wanted to on the trail.

Ms. Horton said that on next Tuesday's agenda she would be in front of the Council requesting funding for the lakes' kiosks and with the prices that came it, they may be able to purchase a fourth kiosk that could be used at the Trailhead parking lot. She said that they would prefer to not call it a user fee, but rather a parking fee and with 60,000 visitors at $2/car that would generate $120,000. Councilman Blair said that he would rather call it a recreation fee and with his numbers they would have enough for a grade-separated crossing within a three-year period.

Ms. Horton said that she would hope that the Mayor, the Council and the community would support that with that in mind. Councilman Blair said that he would support it.

Ed Fuller, resident of Prescott Lakes, said that he was there representing the Prescott Lakes Trail System. He said that his comments were very similar to those that they have already heard, but he wanted to express their views as those of a different entity.

He said that he has been an engineer for 45 years and is familiar with using decision matrices. He said that they are generally used to justify a decision that has already been made, although he was not prejudging. He said that he did play with it to see how sensitive the outcomes would be with different weighting factors and on October 27, 2009 he presented a letter with an alternate, which showed a preferable selection of separated grade.

Mr. Fuller said that they would also urge them to form a policy of no at-grade crossings as there will be other crossings in the future and their action on this crossing will set a precedent.

Kelly Schwartz said she was a horseback rider, and a member of the Prescott Saddle Club and President of Back Country Horsemen of Central Arizona, which was a local chapter of a national 501(c)3 organization dedicated to perpetuating the common sense use and enjoyment of horses in America's public lands and wildernesses. She said that they also work with federal and local agencies and environmental groups in maintenance and management of those resources. In 2009 the monetary value of just their local chapter's volunteer efforts was in excess of $177,000 and those are dollars that taxpayers do not have to pay to maintain or build trails.

She said that the Peavine Trail is also a horse trail. Horseback riders are often the canaries in the coal mine when it comes to trail safety issues. They are the ones that are most likely to get hurt when trails are unsafe or user conflicts arise, especially with moving vehicles. She said that they support a separated-grade crossing at Road 39.

She said that one may say that they have other places to ride; however it was a better issue about habitat. Loss of habitat results in the disappearance or migration of those most affected. There were local riders who over the years have been forced to move from Phoenix, to Scottsdale, to Cave Creek, and now reside in Yavapai County. They will move again if they feel riding opportunities in the area are compromised.

She said that in 2006 Yavapai College conducted and published a study that found the pleasure horse industry, which excludes the rodeo and the racetrack, contributes $389 million annually to Yavapai County. Over 96% of horse owners in the study indicated they were trail riders and the average household with trail riders spends over $18,000 a year on horse-related goods and services, which are primarily spent locally. She said that some may say that spending that much on their horses makes them rich, but that is not true. They represent a cross section of the community and have simply made choices and sacrifices.

Gary Worob, retired grant proposal writer, former County Parks Administrator and also responsible for designation in early years for National Recreation Trail in Ohio. He said that the National Trail System Act of October 2, 1968, Public Law 90-543 establishes a policy for a national system of trails. Some of the criteria for NRT designations are that the trail must be open to public use; must be designed, constructed and maintained according to best management practices; and must be in keeping with the use anticipated. That means that if there were no fees in their original designation applicable, they cannot be applicable now. He said that the trail must be in compliance with applicable land use plans and environmental laws. He said that the trail must be open to public use for at least ten consecutive years after designation, and it is up again in 2011.

He said that supporting documents such as property titles, leases, easements, agreements, etc. must be submitted. When this was designated they must have worked with the landowners and decreed what could and could not be done with crossings. The NRT designation must be supported by the landowners, public or private, whose property the trail crosses. He has not heard anyone talk about what was the original plan. He has no concept of what they can or cannot due with the Peavine Trail.

Bill Feldmeier, Prescott, said that he was an avid trail user with both mountain bike and legs. He said that he is also familiar with transportation enhancement grants and he would be willing to connect staff with the appropriate individuals at ADOT to provide them with interest and advice needed. He said that he came to the meeting today because he was opposed to anything other than an at-grade crossing. He said that multiple times during a day he crosses trails at City streets and does so at his own risk. He believes that a climb over the top of any stretch is not only an impediment, but it takes away from the trail. He was opposed to using General Fund money to fund an above-road crossing, but he does like the idea of user fees and he was a strong subscriber to user fees. He believes that the users ought to pay for that.

Mayor Kuykendall said that the Council had another meeting beginning at 3:00 p.m. so they needed to adjourn.

Councilman Blair said that they have done some research on the trail and what Mr. Worob referred to did not apply; they can charge user fees. He said that he also felt that staff should get an application in for a grade-separated crossing.

Councilman Lamerson said that he appreciated the comments made today. He hoped that the public recognizes that the public comment is what they want and the reason they want more opportunities for workshops, and are looking to do things differently. He said that he hoped they would have another workshop on this issue.

Mayor Kuykendall thanked everyone for coming, and said that there would be another workshop on the Peavine Trail. He said that when this is over and done the Council's intent is to do the right thing for everyone.

2. Adjournment.

There being no further business to be discussed, the Workshop of the Prescott City Council held February 23, 2009 adjourned at 2:47 p.m.

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MARLIN D. KUYKENDALL, Mayor

ATTEST:

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ELIZABETH A. BURKE, City Clerk