



# PRESCOTT CITY COUNCIL REGULAR VOTING MEETING A G E N D A *ACTION TAKEN*

**PRESCOTT CITY COUNCIL  
REGULAR VOTING MEETING  
TUESDAY, OCTOBER 12, 2010  
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 **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:** Reverend Julia McKenna, Spiritual Architect
- ◆ **PLEDGE OF ALLEGIANCE:** Councilwoman Linn
- ◆ **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. PROCLAMATION**

- A. October as *United Way Month*.

**II. REGULAR AGENDA**

- A. Public Hearing and consideration of a liquor license application from Janice Louise Martin, applicant for Safeway #274 for a Series 9S, Sampling, license for Safeway #274 located at 450 White Spar.

**ACTION: (1) *MOVED to close the public hearing – passed unanimously; and (2) MOVED to approve the liquor license application from Janice Louise Martin, applicant for***

***Safeway #274 for a Series 9S, Sampling, license for Safeway #274 located at 450 White Spar; passed unanimously.***

- B. Public Hearing and consideration of a liquor license application from Janice Louise Martin, applicant for Safeway #245 for a Series 9S, Sampling, license for Safeway #245 located at 1044 Willow Creek Road.

**ACTION: (1) *MOVED to close the public hearing – passed unanimously; and (2) MOVED to approve the liquor license application from Janice Louise Martin, applicant for Safeway #245 for a Series 9S, Sampling, license for Safeway #245 located at 1044 Willow Creek Road – passed unanimously.***

- C. Adoption of Resolution No. 4047-1117 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Library Service Agreement for FY2010/2011 with the Yavapai County Library District to participate in cooperative funding for the benefit of the City of Prescott Public Library, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above. (Contribution from YCLD to City of Prescott Public Library in amount of \$589,156)

**ACTION: *MOVED to adopt Resolution No. 4047-1117 – passed unanimously.***

- D. Award of bid and contract for the Virginia Street Sewer Replacement Project to A. Miner Contracting, Inc., in an amount not to exceed \$1,087,737.00.

**ACTION: *MOVED to award the bid and contract for the Virginia Street Sewer Replacement Project to A. Miner Contracting, Inc., in an amount not to exceed \$1,087,737.00, requiring Davis-Bacon wages – passed unanimously.***

- E. Award of bid and contract for Zone 24 Reservoir Replacement Project to CLM Earthmovers, LLC in an amount not to exceed \$1,019,477.50.

**ACTION: *MOVED to award the bid and contract for Zone 24 Reservoir Replacement Project to CLM Earthmovers, LLC in an amount not to exceed \$1,019,477.50, with the glass-fused tank – passed unanimously.***

- F. Adoption of Resolution No. 4048-1118 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting U.S. Department of Homeland Security, Cooperating Technical Partners Grant, in the amount of \$350,000 for the Federal Emergency management Agency (FEMA) Flood Insurance Map Updates and authorizing the execution of any and all documents to implement same.

**ACTION:    *MOVED to adopt Resolution No. 4048-1118 – passed unanimously.***

- G.    Adoption of Ordinance No. 4762-1113 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the purchase of easements from Donald H. Cramer, Bernard J. and Barbara T. Sheridan, Watson Family Trust, Ross M. and Ann Mellencamp, and Daniel R. and Janet S. Conrad, for the construction of the Zone 19 12-inch transmission main, and authorizing the Mayor and City staff to take all necessary steps to effectuate said purchases.

**ACTION:    *MOVED to adopt Ordinance No. 4762-1113 – passed unanimously.***

- H.    Adoption of Ordinance No. 4765-1116 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, Authorizing the Purchase of Real Property Belonging to the James Deep Well Ranches #1, L.L.C. for the Siting and Construction of a New Airport Zone Production/Recovery Well, and authorizing the Mayor and City staff to take all necessary steps to effectuate said purchase.

**ACTION:    *MOVED to adopt Ordinance No. 4765-1116 – passed unanimously.***

- I.    Comprehensive Sign Plan for Tim's Subaru located at 3230 Willow Creek Rd.; Owner: TC Land Management LLC; Agent: A&B Signs; Zoning Industrial Light, APN: 106-08-008D.

**ACTION:    *MOVED to approve CC10-003 subject to: (1) all signage lighting must be switched off at night in accordance with LDC section 5.3.8 – passed unanimously.***

- J.    Adoption of Ordinance No. 4763-1114 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, to amend Title X, *Land Development Code*, of the Prescott City Code, by Amending Section 9.1, *Common Procedure*.

**ACTION:    *MOVED to adopt Ordinance No. 4763-1114; passed unanimously.***

- K.    In Lieu of Parking in Downtown Business District:

1.    Adoption of Ordinance No. 4764-1115 – 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 Sections 4.9, *Downtown Business (DTB)*; Section 6.2, *Off-Street Parking & Loading*; and Table 11.2, *Terms Defined*.

**ACTION:** *MOVED to amend the Land Development Code to allow a fee to be paid to the City in lieu of providing physical parking spaces for businesses in the Downtown Business District and to exempt certain buildings from providing parking (adopt Ordinance No. 4764-1115) – passed unanimously.*

2. Adoption of Resolution No. 4749-1119 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting an In-Lieu Parking Fee for the Downtown Business District (DTB).

**ACTION:** *MOVED to adopt Resolution No. 4749-1119 – passed unanimously.*

- L. Approval of the minutes of the Prescott City Council Special Meeting of September 24, 2010, the Workshop of September 28, 2010, and the Regular Voting Meeting of September 28, 2010.

**ACTION:** *MOVED to approve the minutes of the Prescott City Council Special Meeting of September 24, 2010, the Workshop of September 28, 2010, and the Regular Voting Meeting of September 28, 2010 – passed unanimously.*

- M. Recess into Executive Session.

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

### III. EXECUTIVE SESSION

- A. Discussion or consultation for legal advice with the attorney or attorneys of the public body and 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 A.R.S. §§38-431.03(A)(3) and (4).

1. Centerpointe East/Side Road Interchange.

### IV. ADJOURNMENT