



# PRESCOTT CITY COUNCIL REGULAR VOTING MEETING AGENDA \*A M E N D E D ACTION TAKEN

**PRESCOTT CITY COUNCIL  
REGULAR VOTING MEETING  
TUESDAY, JULY 12, 2011  
3:00 PM**

**Prescott Council Chambers  
201 South Cortez  
Prescott, Arizona  
(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-Johnson
- ◆ **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. PUBLIC COMMENT**

- A. Helene Kaplan re Nicholet Trail.

**II. PRESENTATIONS**

- A. Representatives of Firehouse Restaurant to report on upcoming Firefighter Charities Volleyball and Luau Fundraiser.
- B. Staff presentation re Lorraine Drive right-of-way.

### III. CONSENT AGENDA

**CONSENT ITEM A 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 Item III-A; passed unanimously.***

- A.    Approval of the minutes of the Prescott City Council Special Meeting of June 21, 2011, the Regular Voting Meeting of June 28, 2011, and the Workshop of July 5, 2011.

### IV. REGULAR AGENDA

- A.    Public Hearing and consideration of a liquor license application from Rosa Anzelmo, applicant for Rosa's Pizzeria, Inc., for a Series 12, Restaurant, license for Rosa's Pizzeria located at 330 West Gurley Street.

**ACTION:    (1) **MOVED** to close the public hearing; passed unanimously; and (2) **MOVED** to approve the liquor license application from Rosa Anzelmo, applicant for Rosa's Pizzeria, Inc., for a Series 12, Restaurant, license for Rosa's Pizzeria located at 330 West Gurley Street; passed unanimously.**

- B.    Public Hearing and consideration of a liquor license application from Karen Ruth Hough, applicant for Hough Team LLC for a Series 12, Restaurant, license for Roman Ristorante located at 623 Miller Valley Road.

**ACTION:    (1) **MOVED** to close the public hearing; passed unanimously; and (2) **MOVED** to approve the liquor license application from Karen Ruth Hough, applicant for Hough Team LLC for a Series 12, Restaurant, license for Roman Ristorante located at 623 Miller Valley Road, passed 6-1 with Councilwoman Suttles casting the dissenting vote.**

- C.    Acceptance of grant from the Arizona Department of Transportation Aeronautics Division for the Runway 21L-3R Safety Improvements project.

**ACTION:    **MOVED** to approve acceptance of the grant from the Arizona Department of Transportation Aeronautics Division for the Runway 21L-3R Safety Improvements project; passed unanimously.**

- D. Adoption of Ordinance No. 4801-1201 – 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 30<sup>th</sup> day of June, 2012.

**ACTION:     *MOVED to adopt Ordinance No. 4801-1201; passed 6-1 with Councilman Hanna casting the dissenting vote.***

- E. Adoption of Resolution No. 4091-1201 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, repealing Resolution No. 4080-1150, and amending the Intergovernmental Agreement approved by Resolution No. 4080-1150 with the Arizona Department of Transportation (ADOT) pertaining to transfer of ownership and maintenance responsibility of two segments of State Route 89 and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

**ACTION:     *MOVED to adopt Resolution No. 4091-1201; passed unanimously.***

- F. Award of bid and contract for the FY 2012 Pavement Rehabilitation Project to Combs Construction Company, Inc., in the amount of \$1,337,604.50.

**ACTION:     *MOVED to award the bid and contract for the FY 2012 Pavement Rehabilitation Project to Combs Construction Company, Inc., in the amount of \$1,337,604.50; passed unanimously.***

- G. Approval of a professional services agreement with AMEC Earth and Environmental, Inc., for engineering design services for the Senator Highway Reconstruction Project in an amount not to exceed \$42,764.86.

**ACTION:     *MOVED to approve a professional services agreement with AMEC Earth and Environmental, Inc., for engineering design services for the Senator Highway Reconstruction Project in an amount not to exceed \$42,764.86; passed unanimously.***

- H. Approve to complete a grant application to the U.S. Department of Justice Bureau of Justice Assistance (BJA), seeking grant funds in the amount of \$13,559.00 for the purchase of law enforcement program equipment.

**ACTION:    *MOVED to approve completion of a grant application to the U.S. Department of Justice, Bureau of Justice Assistance (BJA), seeking grant funds in the amount of \$13,559.00 for the purchase of law enforcement program equipment; passed unanimously.***

- I. Adoption of Resolution No. 4092-1202 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the ballot language regarding proposed Charter amendments to be presented to the voters of the City of Prescott at the Special Election to be held on November 8, 2011.

**ACTION:    *MOVED to adopt Resolution No. 4092-1202; passed unanimously.***

- J. Consideration of Settlement Offer from Lexington Insurance in the Lexington Insurance/Casa de Piños v. City of Prescott litigation.

**ACTION:    *MOVED to approve Settlement Offer from Lexington Insurance in the Lexington Insurance/Casa de Piños v. City of Prescott litigation; passed unanimously.***

- K. Approval of procedure and schedule for appointment to fill unexpired Council term.

**ACTION:    *MOVED to approve (1) Alternative A for screening of applications and creating a shortlist to fill the unexpired term of Councilwoman Tammy Linn; and (2) the steps and schedule to be used as identified the Council agenda memo; passed 6-1 with Councilwoman Lopas casting the dissenting vote.***

- L.\* Approval for night work on July 26, 2011, to upsize the water service and water meter at 108 West Gurley Street.

**ACTION:    *MOVED to approve night work on July 26, 2011, to upsize the water service and water meter at 108 West Gurley Street; passed unanimously.***

- LM.\* Special Recognition of Outgoing Councilwoman Tammy Linn and related presentations.

~~MN.~~ Recess into Executive Session.

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

**\* \*        BRIEF RECEPTION FOR COUNCILWOMAN LINN    \* \***

**V.        EXECUTIVE SESSION**

A.        Discussion or consultation for legal advice with the attorney or attorneys of the public body, 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)(3) and (4).

1.        Kevin Greif v. City of Prescott

**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.        Potential acquisition of property north of Gurley Street in proximity to Granite Creek Park.**

**VI.       ADJOURNMENT**