

PRESCOTT CITY COUNCIL  
SPECIAL MEETING  
TUESDAY, AUGUST 30, 2011  
PRESCOTT, ARIZONA

MINUTES OF THE SPECIAL MEETING OF THE PRESCOTT CITY COUNCIL held on AUGUST 30, 2011, in the COUNCIL CHAMBERS located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Kuykendall called the meeting to order at 3:01 p.m.

◆ **PLEDGE OF ALLEGIANCE**

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

Councilman Hanna gave the invocation.

◆ **ROLL CALL:**

Present:

Mayor Kuykendall  
Councilman Blair  
Councilman Hanna  
Councilman Lamerson  
Councilman Scamardo  
Councilwoman Suttles

Absent:

Councilwoman Lopas

- I. Acceptance of a grant from the Federal Aviation Administration in the amount of \$6,769,559.00 Federal share (City match \$178,147) for Phase 2 funding of construction of the Runway 21L-3R Safety Improvements at Prescott Municipal Airport, Ernest A. Love Field.

Mr. Vardiman said this was the Phase 2 funding that was slated to begin in late December. He said they accepted the Phase 1 grant in March 2011 and awarded the design contract to Dibble Engineer. He said they were approaching the 90% completion point which would incorporate the requested changes from the Users Association with respect to the south ramp area.

Councilman Blair asked if it was the extension of moving the 400 feet to the other end. Mr. Vardiman said yes. He said it would remove 400 feet of pavement from the southwest end and place it at the northeast end of the primary runway. He said they would fill in drainages on the side of the runway and do some other associated work.

Councilman Blair asked Mr. McConnell if the contour lines would change backwards 400 feet. Mr. McConnell asked him to restate the question. Councilman Blair asked if building the navigation easement under the runway would move everything 400 feet that way. Mr. McConnell said he thought the question related to the air space and the airport traffic.

Mr. Vardiman said that it would shift the trapezoidal piece about the same as the runway displacement, for the departure runway protection zone. He said for the arrival runway protection zone into 3R, it did not have an impact. He said there were other protected surfaces out there that would not change as drastically as 400 feet. Councilman Blair asked if they were legal requirements. Mr. Vardiman said yes.

Mayor Kuykendall asked if the bird count was complete. Mr. Vardiman said yes and it had been submitted to the Federal Aviation Administration. He noted that they formalized the practices they were already using into a formal document and provided formal training to staff.

Councilwoman Suttles asked if they would be holding everything they wanted done, with the acceptance of the grant, or if there would be any wiggle room on some of the things that could be done. Mr. Vardiman said that in terms of the design, they still had room to change within their standards.

**COUNCILMAN HANNA MOVED TO ACCEPT A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION IN THE AMOUNT OF \$6,769,559.00 (FEDERAL SHARE) FOR PHASE 2 FUNDING OF CONSTRUCTION OF THE RUNWAY 21L-3R SAFETY IMPROVEMENTS AT PRESCOTT MUNICIPAL AIRPORT, ERNEST A. LOVE FIELD; AND FURTHER AUTHORIZING THE MAYOR AND CITY STAFF TO EXECUTE ANY AND ALL NECESSARY RELATED DOCUMENTS; SECONDED BY COUNCILMAN BLAIR.**

Mayor Kuykendall asked if the City's portion was in the current year's budget. Mr. Vardiman said that it would be split over two fiscal years – 2012 and 2013. Mayor Kuykendall asked if he was committing into next year.

**MOTION PASSED UNANIMOUSLY.**

- II. Acceptance of a proposal by the Yavapai-Apache Nation to dismiss its appeal with prejudice and authorization of legal counsel to take any steps necessary to effectuate the dismissal.

Mr. Kidd noted that there were two remaining counts in the Superior Court in Maricopa County and the Yavapai-Apache Nation contacted them last week and indicated their willingness to dismiss the remaining parts of their case against Prescott and the ADWR designation. He said that each party would bear their

own costs for attorney's fees. He said it was an administrative appeal and the Legal Department's recommendation was to move forward and allow them to dismiss with prejudice. He said the Yavapai-Apache Nation's appeal against the City of Prescott, in the Superior Court and the Court of Appeals, would be over.

**COUNCILMAN LAMERSON MOVED TO AUTHORIZE ACCEPTANCE OF THE PROPOSAL OF THE YAVAPAI-APACHE NATION TO DISMISS ITS APPEAL WITH PREJUDICE, AND AUTHORIZE LEGAL COUNCIL TO TAKE ANY STEPS NECESSARY TO EFFECTUATE THE DISMISSAL; SECONDED BY COUNCILMAN HANNA; PASSED UNANIMOUSLY.**

III. Presentation by the Human Resources Department and Council discussion of the internal search and search alternatives for the City Manager position.

Ms. Jacobsen noted that she had given Council the results of the internal recruitment for City Manager. She said there were four applicants; two did not meet the educational requirements. She said that Councilwoman Lopas was one of those applicants and she was automatically disqualified. By Charter she could not apply within one year of the end of her elected term. She said that two candidates met the minimal education criteria as well as having Master's Degrees, with a minimum of ten years in government service. She said that Mr. McConnell, a candidate, far exceeded the criteria as far as education and experience.

She noted that there were three search alternatives they could decide on: appointment of one of the candidates who applied through the internal recruitment, extend the search externally to be conducted by Human Resources or extend the search externally to be conducted by a search firm. Mayor Kuykendall asked what her recommendation would be. Ms. Jacobsen said she recommended the appointment of Mr. McConnell to the position.

Councilwoman Suttles noted that they had three choices and two applicants. She asked if the Council had any interest in interviewing the two applicants. Councilman Lamerson said he read the applications and he concurred with the recommendation of Ms. Jacobsen.

Mayor Kuykendall said that since there were no more comments, he would assume that there was no interest in interviewing the applicants. Councilwoman Suttles asked if there was any interest in going outside the City of Prescott to look at a City Manager position. She said that she was disappointed that they did not have more involvement from the Council in discussing the next City Manager.

**COUNCILMAN SCAMARDO MOVED TO APPOINT CRAIG MCCONNELL AS CITY MANAGER WITH AN EMPLOYMENT AGREEMENT TO BE BROUGHT BACK TO COUNCIL FOR ITS APPROVAL; SECONDED BY COUNCILMAN HANNA.**

Daniel Mouawad, Prescott, said it was important for the democratic process and transparency of this motion to bear in mind that there had been externally qualified applicants from the constituency. He said that while it was prudent to not expend \$20,000 for an external consultant, it was a prudent motion to consider giving the full remit of that search to the internal Human Resources Department and to establish if there were better suited candidates from the constituency and nationally. He said it was an important post and a critical post for the future well being of the City and the community. He said that he thought it was important that the Council gave due recognition to the importance of recruitment.

He said that his purely objective observation was that the Council was about to recruit and approve a motion to appoint a member of the staff that had openly stated that he would not permit himself to apply should the search be open to external candidates. He said that he questioned whether the Council was about to make a prudent decision.

Mayor Kuykendall said that, speaking for the Council, the appointment was not something that had been glossed over lightly. He said they had been working on it since the City Manager left. He said that the seven votes would be meaningful and in the best interest of the City.

**MOTION PASSED 5-1 WITH COUNCILWOMAN SUTTLES CASTING THE DISSENTING VOTE.**

Mayor Kuykendall congratulated Mr. McConnell.

IV. Possible recess into Executive Session.

The Prescott City Council did not recess into Executive Session and moved in to Post Executive Session discussions.

V. EXECUTIVE SESSION

A. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, pursuant to ARS §38-431.03(A)(1).

1. Discussion of the qualifications and possible interviews of applicants for the City Manager position:

- a. Dawn Foster
- b. Craig McConnell

VI. POST EXECUTIVE SESSION

A. Possible action regarding the City Manager position.

Mr. McConnell noted that the Primary Election would be held on that day. He said that Council Chambers would be open at 6:00 p.m. for anyone who wished to receive the election results. He said the coverage would occur on Access 13 at 7:00 p.m. and radio stations would provide election coverage as well.

He said there would be a Patriot's Day Golf Tournament at Antelope Hills on September 5, 2011, beginning at 10:00 a.m. to benefit the Folds of Honor Foundation which provided educational scholarships for children and spouses of military veterans, disabled or killed in action. He told those interested to call Antelope Hills Golf Course for information.

Councilman Blair asked at what point he could expect to see an agreement and parameters of the employment package for the City Manager position.

Mayor Kuykendall said the discussion of the employment package would be presented to the City Attorney for formatting before the end of the week. Mr. Kidd said that he would bring it back to Council for approval, the second meeting in September, which would be a voting meeting. He said that he could have a draft done quickly.

VII. ADJOURNMENT

There being no further business to be discussed, the Special Meeting of the Prescott City Council held on August 30, 2011, adjourned at 3:23 p.m.

ATTEST:

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MARLIN D. KUYKENDALL, Mayor

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ELIZABETH A. BURKE, City Clerk