

PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, JANUARY 24, 2012
PRESCOTT, ARIZONA

MINUTES OF THE REGULAR VOTING MEETING OF THE PRESCOTT CITY COUNCIL held on JANUARY 24, 2012, 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 3:00 p.m.

◆ **INTRODUCTIONS**

◆ **INVOCATION**

Reverend Julia McKenna-Johnson said the invocation.

◆ **PLEDGE OF ALLEGIANCE** Councilman Lamerson

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

◆ **ROLL CALL**

Present:

Absent:

Mayor Kuykendall
Councilman Arnold
Councilman Blair
Councilman Carlow
Councilman Hanna
Councilman Kuknyo
Councilman Lamerson

None

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. RECOGNITION

- A. Recognition of Bill Feldmeier as outgoing member of the Arizona Department of Transportation Board.

Councilman Lamerson presented Mr. Feldmeier with a plaque in recognition of his service on the Arizona Department of Transportation Board and representing Northern Arizona. Mr. Feldmeier said that he had

been living in Prescott since the middle of 1974 and it was a wonderful place to live. He thanked everyone for the plaque.

II. CONSENT AGENDA

CONSENT ITEMS A – C LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

COUNCILMAN HANNA MOVED TO APPROVE CONSENT AGENDA ITEMS II-A THROUGH II-C; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- A. Approval to purchase cold patch material from Copperstate Pavement Products through the cooperative use contract with Mohave County in an amount not to exceed \$20,000.00.
- B. Approval of annual maintenance renewals with TechLogic for RFID technology used at the library check-out and check-in points in a total amount of \$13,026.93.
- C. Approval of the minutes of the January 3, 2012, Workshop and the January 10, 2012, Regular Voting Meeting.

III. REGULAR AGENDA

- A. Public Hearing and consideration of a liquor license application from John Alexander Phillips applicant for PPLD, LLC for a Series 07, *Beer & Wine Bar*, license for Park Plaza Liquor & Deli located at 402 West Goodwin Street.

Ms. Burke reviewed the application, noting that the property had been posted, no public comment had been received, and the applicant had been requested to attend the meeting and was present.

COUNCILMAN LAMERSON MOVED TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN HANNA; PASSED UNANIMOUSLY.

COUNCILMAN LAMERSON MOVED TO APPROVE THE LIQUOR LICENSE APPLICATION NO. 07135002 FOR A NEW SERIES 07, BEER & WINE BAR, LICENSE FOR JOHN ALEXANDER PHILLIPS, APPLICANT FOR PARK PLAZA LIQUOR & DELI, LOCATED AT 402 WEST GOODWIN STREET; SECONDED BY COUNCILMAN HANNA; PASSED UNANIMOUSLY.

- B. Adoption of Resolution No. 4119-1229 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, appointing “The Sesquicentennians” to be tasked with rededication and subsequent reopening of the time capsule on February 14, 2062.

Cat Moody, Historic Preservation Specialist, said that the resolution would carry on a legacy that was established in 1963, at the dedication of City Hall. She said as part of that dedication, a time capsule was placed in City Hall to be opened 50 years later. A local group of school children was tasked as time capsule keepers. They were known as the Centennian Group. On February 14, 2012, there will be a Centennial Celebration at the Elks Opera House at 1:00 p.m. and the time capsule will be opened on stage, by the Centennian Group.

She noted that the Centennians were also charged with passing the torch. She called the Sesquicentennian children to come forward. She said that each Centennian got to nominate a child and there was also an essay contest, evaluated by the Writers Guild of Prescott, to find the rest of the students. She noted that in 2062, that group of students would be in Prescott to reopen the time capsule and carry on the legacy.

Those students chosen were Tayhlar Tenney, Colin Hicks, Emily Robbins, Rhia Alvarez, Britni Bunger, Ava Tambaugh, Denali Skinner, Karissa, Merrell, Hanna Voevodsky, Cameron Tews, Kyra Bryce, Sydney DeMoss, Emily McMahon, Emily Hobson and Clay Gross.

COUNCILMAN ARNOLD MOVED TO ADOPT RESOLUTION NO. 4119 -1229; SECONDED BY COUNCILMAN HANNA; PASSED UNANIMOUSLY.

- C. Adoption of Resolution No. 4118-1228 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, allowing acceptance of a grant from the Arizona Peace Officer Standards and Training Board in the amount of \$28,500 to facilitate placement of chain link fencing around the perimeter of the City of Prescott Police Department’s Shooting Range

Chief Kabbel said they used to have a barbed wire fence around the range, which was currently not complete. He noted that they applied to the Arizona Post three times for grant funding. They were awarded \$28,500 in 2012, to put towards enclosing the range. He noted that before they could apply for any other funding for the firing range, they had to have it secured.

Councilman Carlow asked if there would be any additional costs to the City. Chief Kabbel said they had not gone out to bid yet, so he did not know if they would need to find alternated funding sources.

COUNCILMAN HANNA MOVED TO ADOPT RESOLUTION NO. 4118-1228; SECONDED BY COUNCILMAN BLAIR; PASSED UNANIMOUSLY.

- D. Approval to purchase asphaltic rubber crack sealant via ADOT contract No. T0721A0067 in an amount not to exceed \$100,000.00.

Bobbie King, Field Operations Superintendent, said that they increased the life of the streets with the use of crack sealant. She said they were requesting funding to continue an aggressive pavement maintenance strategy. She noted that they chip sealed 42 streets that year.

Councilman Hanna noted that it was a good price. Councilman Lamerson asked how the City of Prescott got the same price as Arizona Department of Transportation (ADOT) without having to go out for bid. Ms. King said it was an Intergovernmental agreement (IGA) that the City could tag off of their bid.

COUNCILMAN BLAIR MOVED TO APPROVE THE PURCHASE OF ASPHALTIC RUBBER CRACK SEALANT VIA ADOT CONTRACT NO. T0721A0067 IN AN AMOUNT NOT TO EXCEED \$100,000.00; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- E. Award of a three-year unit price contract to D&K Farming Enterprises, LLC for hauling and disposal of biosolids from the City's Wastewater Treatment Facilities in amount not to exceed \$705,375.00.

Mr. Nietupski said the City produced about 4,500 tons of biosolids and the initial term of the contract was three years with provisions for two one-year extensions. The annual cost of the contract was estimated at \$235,125.00, based on the tonnage and the maximum unit price for landfill disposal which was \$52.25 at the Gray Wolf Landfill.

He noted that the disposal of biosolids was in relation to the kind of biosolids. The Sundog biosolids were a Class B which was typical for most treatment plants in the State of Arizona. He said it was suitable for land applications. He said the biosolids from the Airport plant were unclassified and must be disposed of in a landfill.

He said they received two bids, one from D&K Farming Enterprises and the other from Waste Management of Arizona. He noted that Waste

Management did not provide a bid for the land application, but they did provide for the alternate and the land fill.

He noted that D&K was awarded the contract in 2008 and they provided service in conformance with the terms. There had been an increase in the cost since the last term.

Councilman Kuknyo asked if the biosolids that went to fertilizer could be sold. Mr. Nietupski said that when it was disposed of for land application, it was a provision of the contract. He noted that they would see the economic value in the bid. Councilman Kuknyo asked if there was a provision for fuel increases.

Mr. Nietupski said no, but there was an Optimized Pretreatment and Unique Separation Technology (OPUS) adjustment for five day fuel average which worked for and against the City. He said the price was tied to the Consumer Price Index.

Councilman Arnold asked for a clarification between the bids of the two companies. Mr. Nietupski said the tipping fees were included in the bids that were submitted. He said that he did not know why Waste Management decided not to bid on the land application.

Mayor Kuykendall asked what the price increase was. Mr. Nietupski said that the land application component went up 58% from 2008. The landfill application for the biosolids from the airport saw a 9% increase.

COUNCILMAN HANNA MOVED TO AWARD A THREE-YEAR CONTRACT TO D & K FARMING ENTERPRISES, LLC FOR HAULING AND DISPOSAL OF BIOSOLIDS FROM THE CITY'S WASTEWATER TREATMENT FACILITIES IN AN AMOUNT NOT TO EXCEED \$705,375.00; SECONDED BY COUNCILMAN CARLOW; PASSED UNANIMOUSLY.

- F. Adoption of Ordinance No. 4824-1224 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting title to real property known as the Beurie Property located near Willow Lake, and authorizing the Mayor and staff to execute any and all documents to effectuate said purchase.

Mr. Kidd noted that the property was purchased in 2009 as part of an open space acquisition for a trail that went around Willow Creek. He noted that there were accelerated life data analysis case studies (ALTA) and warranty policies on the property. He said the last step required by charter was to pass an ordinance accepting the date formally, which would complete the necessary requirements for the property purchase.

Councilman Blair asked how much they paid for the property. Mr. Woodfill said that it was about \$800,000.

COUNCILMAN ARNOLD MOVED TO ADOPT ORDINANCE NO. 4824-1224; SECONDED BY COUNCILMAN HANNA; PASSED UNANIMOUSLY.

- G. Settlement of Linscott Claim in the amount of \$45,000.00.

Mr. McConnell noted that a claim was filed in June 2012, on behalf of Mr. Linscott pertaining to a traffic accident which involved a City police officer. The City forwarded the claim to a third party claims administrator, retained by the City. Travelers Insurance recommended settlement for \$45,000.00, which would resolve all claims in the matter. He noted the claim was discussed in Executive Session on January 3, 2012.

Councilman Lamerson asked if the City attorney agreed. Mr. Kidd said that he was fine with it. He said that he did not do the investigation.

Councilman Hanna said that any time an officer was involved in an accident, they took blood. He asked if they did it in that case. Chief Kabbel said that he did not have the investigation in front of him. He said that because it was a civil traffic accident, he did not know if blood would have been taken.

COUNCILMAN LAMERSON MOVED TO APPROVE SETTLEMENT OF THE LINSCOTT CLAIM IN THE AMOUNT OF \$45,000.00; SECONDED BY COUNCILMAN KUKNYO; PASSED UNANIMOUSLY.

- H. Presentation on City wastewater treatment plants.

Mr. Nietupski gave some background saying that in April 2009, the Council awarded a contract for development of a Wastewater Treatment Master Plan for the airport and Sundog Wastewater Treatment facility. He noted the project provided a comprehensive evaluation of the capacity and adequacy of each facility in terms of treatment processes, which also addressed bio solids, treatment and handling and local limits.

He said the Master Plan identified many issues, including insufficient treatment capacity at both locations; waste strength was significantly higher than contemplated in the original plant designs. The equipment was nearing the end of service life; there were operational challenges with treatment processes and issues with inflow and infiltration. He said that as a result of those findings, City Council awarded an engineering contract

for design services to Waterworks Engineers for the Airport Water Reclamation Facility Expansion Phase I and limited improvements at the Sundog Wastewater Treatment Plant. He noted that the City was obligated to treat wastewater from the Yavapai-Prescott Indian Tribe Reservation.

He noted that the time frames for future projects identified in the presentation were estimated and not fixed. He said the delivery of projects in future years would be linked to service demands. The costs were based on estimates and scopes of work utilizing current market values. He noted that funding was not in place for projects three through six shown in the presentation in relation to the single plant centralized concept.

He said an overview of the project would be given by John Matta of Waterworks Engineers. Mr. Matta showed a PowerPoint that covered:

- EXPANSION OF THE AIRPORT WASTEWATER TREATMENT PLANT
- SUNDOG WASTEWATER TREATMENT PLANT IMPROVEMENTS
- PRETREATMENT PROGRAM
- SINGLE PLANT TREATMENT PLANT CONCEPT

Mr. Matta noted that the Airport Water Reclamation Facility was the bulk of the project. He said they would abandon most of the facilities that already existed because they were older technologies and the structures were not reliable.

Councilman Lamerson asked how many more residential units that would provide for. Mr. Matta said each million gallons per day (MGD) would be about 4,000 homes and it was 3.75 MGDs. Councilman Lamerson noted that the number coincided with the amount of water the City had available.

Mr. Matta said the design started with what the Master Plan recommended. He said they had completed 30%. They evaluated the recharge basins, which were a critical component because it had to be able to handle the effluent generated by the plant. It was determined that the basins could handle up to 12 -13 MGDs.

Councilman Arnold asked what type of impact a 1000 foot setback would have on surrounding properties. Mr. Nietupski said the area was predominately under the ownership of one property owner.

They would work with the owner to acquire an easement and would bring it back to Council in the future.

Councilman Blair asked if they were looking to decommission Sundog and start over from scratch. Mr. Nietupski said they were specifically speaking of the design improvement for the airport facility. Councilman Blair asked if they would be starting over at the airport plant.

Mr. Matta said they tried to use as much as they could from the facilities. He said they used the largest basin as part of the new design. Councilman Blair asked if the costs had been looked at for expansion capabilities at the airport if the Sundog plant was decommissioned. Mr. Matta said they did look at that and he would show some of the exhibits.

Councilman Blair said it sounded like the building structures were designed for the future and the only think left to do was add the ponds. Mr. Matta said he was correct.

Mr. Matta said they were about three days from submitting the 60 percent design to the City staff for their review. He said they would also be submitting the project to the Arizona Department of Environmental Quality (ADEQ) for their approval.

Councilman Blair asked what the water quality would be out of the new plant. He also asked how the infiltration of the new ponds affected the pumping of the new wells. Mr. Matta said the water quality would be a class A+ effluent. He said that it could be used for irrigation.

Councilman Blair asked if it would give the City the capability to water parks. Mr. Matta said yes. He said that they had hydro geologists who looked at the impact of the recharge pumps on the surrounding wells and they would not have an impact on those wells.

He said they would need an additional power supply and communications. They would also create a new control and data acquisition system. He said the City retained a contractor under the Construction Manager at Risk (CMAR) process.

Councilman Arnold asked what percentage of capacity the current plant was running. Mr. Nietupski said that it was operating at over 90 percent. He asked if the biosolids had to go into a landfill from that plant. Mr. Nietupski said yes. He said that in that design, they

would not meet the B standard because of the economics involved getting to that level of treatment. He said it was an option that the City would look to in the future.

Mr. Matta noted that there were two projects occurring at the Sundog plant; they were a filter system reconstruction and nitrification denitrification upgrades.

Councilman Arnold noted that the technology was outdated and the City was mandated to maintain and keep it up.

Councilman Blair asked why they did not just spend the money for one plant at the airport and decommission the plant at Sundog and make it ready for resale for property values for a commercial venture.

Mr. Nietupski said the need to continue operating Sundog was evident. They had to continue operations in compliance with the ADEQ regulations. He said there was a need to do limited improvements to be able to sustain treatment. He said they could not flip a switch on that major of a treatment system and go to one. He noted that they were not in a position to say they needed to do that. He said it was something they would continue to study.

Mr. Nietupski said the City did not discharge directly into Granite Creek. He said the discharge was pumped to the north to the recharge facility at the airport.

Councilman Lamerson asked what the contemplated numbers of gallons were, per day, to be treated after the build out. Mr. Nietupski said the quantity was 15MGD based on the entire planning area. Mr. Lamerson asked how many MGD's they were treating at that time. Mr. Nietupski said 3.7 MGD's. Councilman Lamerson asked how many acre feet they were treating.

Mr. McConnell said the missing piece was that there were existing flows treated by the Wastewater Treatment Plant. There was another increment of future water supplies, including the Big Chino Project and an additional quantity of water in their most recent modification of designation, which was alternative water of 1700 acre feet. He said there was grandfathered ground water for un-built plats.

He said adding all of those together, existing units, units to be served by their most recent designation (Big Chino and alternate water) and all houses which did not exist on already approved

grandfathered plats; they would get to the 15 million gallons. Councilman Blair added storm infiltration.

Mayor Kuykendall asked what would happen when they pumped 10 MGD. Mr. Nietupski said that a lot of water went toward irrigation in the summer.

Mr. McConnell said that in the winter, they used about 4 MGD. He said if they estimated the non irrigation water use at the 4-6 MGD range that could double during the summer.

Mr. Nietupski said that when the City set rates for wastewater treatment they are based on winter usage. Mayor Kuykendall said they adjust their sewer charge on a six month basis. Mr. McConnell said that it was focused on the least water used months of the year because the irrigation water was not going through the sewer system.

- PRE TREATMENT PROGRAM
- CENTRALIZED TREATMENT SINGLE PLANT
- LIFE CYCLE COST COMPARISON
- CENTRALIZED TREATMENT
- CENRALIZED TREATMENT PROJECTS CIP 1-6
- CHART

Mr. Nietupski noted that projects three through six were not currently funded. Mr. McConnell said that they were talking about centralized treatment, but money and time were involved.

Councilman Kuknyo asked if they got Phase I complete if there would be anyway that they could divert some of it to the Sundog facility. Mr. Nietupski said it could be accomplished but it had not been the objective. He said they would go through some projects to show how they could get there and what that would entail.

Mr. Matta noted that Project III was the Sundog Equalization. He said if the project was implemented it would be able to manage the flows getting into Sundog in a more manageable way.

- SUNDOG WWTP – COSTS

- CENTRALIZED TREATMENT – Summary of Options
- AIRPORT PHASE 1 EXPANSION

Councilman Hanna asked what would happen to the storage of potable water if they went to the water tank and booster station conversion. Mr. Nietupski said the Airport water tank was a 1 million gallon capacity. He said the Zone 12 tank, a current Capital Improvement Project (CIP) was a 3.25 million gallon facility. The Airport water tank would be converted to store treated effluent to meet those delivery demands and obligations the City had.

Councilman Arnold clarified that they were just looking at Phase I at the Airport and dealing with the Zone 12 tank and they would deal with the other items when they talked about long range plans. Mr. Nietupski said yes.

Councilman Lamerson said that it was important for the Council to understand how important some of those issues were, especially while rewriting the General Plan.

Mayor Kuykendall said that a water rate increase would come out in the next month, at which point another three year plan would be brought forward. He asked if they were on target to pay the bills with the lessened consumption of water.

Mr. McConnell said that he and Mr. Woodfill discussed the topic. He said it was the time when the potable water use in the City was at its lowest and they had been conservative in the way they had budgeted revenue. He said they were okay from the revenue standpoint at the present time. He noted that years four through six, which extend beyond the rate increases, would be a separate analysis.

Mayor Kuykendall said they were furnishing the entire City water but were not furnishing the entire City wastewater services because of the unsewered areas in the City. He said they would have to have a conversation about that in the future. He asked if the City had capacity if all of the unsewered areas were dumped on them. Mr. Nietupski said that he would suggest no.

Mayor Kuykendall said that it was not about what they currently had but the anticipation of the growth and there were still people who were not using the City services. He asked if they were calculating

that into their ultimate capacity at build out. Mr. Nietupski said it was something they would be analyzing.

IV. ADJOURNMENT

There being no further business to be discussed, the Regular Voting Meeting of January 24, 2012, of the Prescott City Council adjourned at 4:32 p.m.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Voting Meeting of the City Council of the City of Prescott, Arizona held on the 24th day of January, 2012. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2012.

AFFIX
CITY SEAL

ELIZABETH A. BURKE, City Clerk