

PRESCOTT CITY COUNCIL
JOINT WORKSHOP/SPECIAL MEETING
TUESDAY JANUARY 3, 2012
PRESCOTT, ARIZONA

MINUTES OF THE JOINT WORKSHOP/SPECIAL MEETING OF THE PRESCOTT CITY COUNCIL held on TUESDAY, JANUARY 3, 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.

◆ **PLEDGE OF ALLEGIANCE** Councilman Kuknyo introducing the SNAP (Special Needs Activity Program) signers

Councilman Kuknyo introduced the SNAP signers who led the Council and audience by signing the Pledge of Allegiance. They also signed The National Anthem.

◆ **ROLL CALL:**

Present:

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

Absent:

None

WORKSHOP

I. RECOGNITION

A. Recognition of John Cornelius for contributions to the VA Hospital

Mayor Kuykendall introduced the item and talked about the fundraising John Cornelius did. Amy Callahan from the Veteran's (VA) Center introduced John Cornelius. She said he was decorated with two bronze stars and raised over \$100,000 in six years.

Jim Belmont presented John Cornelius with a plaque and said his efforts contributed substantially to providing amenities to the Prescott VA Medical Center.

Mr. Cornelius thanked him for the plaque and the people who bought the raffle tickets for the disabled veterans. He presented John with a check for the disabled veterans.

II. PROCLAMATIONS

A. January 3, 2012 – *Elks Opera House Guild Day*

Councilman Hanna read the proclamation and presented it to the members of the Elks Opera House Guild.

Maxine Dillahunty accepted the proclamation and noted that the Opera House was their passion.

John Olson, Chairman of the Foundation Board, said that they could not function as well as they had without the members of the Guild.

B. January 16, 2012 – *Martin Luther King, Jr., Day*

Councilman Kuknyo read the proclamation and presented it to Ben Olsen.

III. PUBLIC COMMENTS

A. Presentation by Cody C.A.N. (**Cure Autism Now**) re their organization

Bill and Helaine Searle, Directors of Cody C.A.N. Thrift Store in Diamond Valley, talked about autism and how the proceeds from their store helped families affected by autism. He noted that they were able to raise over \$6,400 worth of toys with their annual Christmas tree. He noted that they donated wheelchairs to children and adults. Their address was 1302 North Rhinestone Drive, Diamond Valley and their web site was Codycan.org.

B. Report by Dave Maurer and Kendall Jaspers on Courthouse Lighting Program.

Mr. Maurer noted that the lights would be on for another two weeks. Mr. Jaspers said that it was an effort to make Prescott the Christmas City; there were lights on the streets, banners and ornaments on the light poles, the Light Parade and the Christmas Parade which led to the Courthouse Lighting. The Acker Music night was the last of the events. He noted that it took a lot of volunteers and many people raising a lot of money for the season.

Mr. Maurer said the City committed \$30,000 annually. He said the Chamber was able to leverage that investment threefold. He noted the total revenue raised to date was just under \$90,000, which included carry over of \$23,000 from last year. He said their expenses were \$78,572. He said approximately \$10,000 from 2011 would carry over to 2012. He noted that there were about 400 donors and three memorial funds for 3 individuals who passed away during the year. He noted that contributions in the name of Ed Anderson, an oil executive in Prescott, came in at a little over \$10,000. He said their goal was to light 100 trees for the Centennial Year; they were able to light 101. He said they only lit 40 trees last year. He said they got a grant from the Western Heritage Foundation for \$5000.00 that enabled the building outline lights to be on throughout downtown. He said the lights were permanent and could be lit whenever the City thought it was appropriate. He noted that Jersey Lilly raised over ten percent of the total funds with half of the donors.

Mr. Jaspers said the effort ran on a shoestring. He said that was the first year that there was some significant money left over. He said they would not get \$15,000 next year. The new building lights would last two to three years due to sun damage to the wiring. He said they spent \$7,500.00 on the lights and installation. He said the decorative banners should be replaced, as they had been used for the past five to fifteen years and that he would like to begin a replacement program. He said that besides providing labor, both Prescott Downtown Partnership and the Chamber put in \$5,000.00 towards the effort each year.

Mayor Kuykendall asked what type of a budget they were looking at for next year, if they wanted to stay at the same level. Mr. Jaspers said that it would be in the mid \$70,000's. He said that did not include any refurbishing. He said they had to redo the base for the big Christmas tree that sat on the fountain. He said if they raised \$90,000 again next year they would be in good shape.

C. Monica Wipf re Anti-Bath Salts Rally at Courthouse Square

Monica Wipf said she was a founder of two recovery homes in Prescott. She said that designer drugs were a real and deadly risk in the community. She said they were trying to get the awareness out there and make sure the people selling the drugs knew what the effects were on the people buying them.

She said that people could buy the drugs in markets in Prescott. The product was a plant like material that was sprayed with something 700 times more powerful than pot and kids were ending up with seizures. She said that some stores were trading sex for bath salts. She noted that it had

been banned in 40 states. Arizona was a state where it was not banned. She said a group was meeting at the Courthouse at 10:00 a.m. the next day to send people around to stores that were selling it to picket the stores. She noted they had informed the stores to give them the opportunity to get rid of the drugs prior to their arrival.

She said she did not know how to get it banned.

D. John Sellers re linkage between the Magna Carta and First Amendment and their relevance to Prescott

John Sellers talked about the First Amendment to the United States Constitution. He said that few people understood how easy it was to run afoul with the First Amendment containing the five rights of religion, speech, press, assembly and the right to petition government.

He said he exercised that right on July 27, 2010, to talk about The Crossings. He said a lawsuit transpired last June when all of their neighbors were sued by the City. He said the law suit basically said to sign a statement agreeing with the City's version of the facts of what happened in The Crossings and the Judge may stamp their property title, or else the City would sue them for legal expenses.

He said they responded to the City in a letter that was circulated to the Council. He said the outcome was unpredictable. He said that he wished that 2012 would be known as the Year of the Magna Carta.

IV. PRESENTATIONS

A. Presentation of Channel 13 Awards to Prescott Public Communications

Councilman Arnold invited the two board members from Channel 13 to present Kim Kapin, Director of Public Communication, an Award of Excellence for the Community Affairs Show, Prescott Today.

Mr. Kapin thanked Councilman Blair, Monica Bishop and her staff, Heather, Paul and Tawny.

Fred Spears, Chairman of the Board, presented the Best Government Program of the Year award to Mr. Kapin. Councilman Arnold noted that the best program Live + Work + Play had over 20,000 YouTube views and had been nominated for the Governor's Award that year. Mr. Spears thanked the City Council for working with Access 13.

B. Presentation of Library Video produced by Prescott Public Communications

Toni Kaus presented the library video and said that Kim Kapin asked her about shooting a video on new technology at the library. She thanked Kim for a great video that had been well received in the Prescott and library communities. Mr. Kapin thanked his production partners at Cable One. They then showed the video.

C. Board/Commission liaison reports

Councilman Carlow noted that the Community Development Block Grant Committee sent out letters at the beginning of December to non-profits and a notice was in the Courier. He said they would have a meeting the next day to go over goals. He said the Fire Board of Appeals would meet in the spring and go over code amendment changes, which they did every three years.

He noted that the Northern Area Council of Governments (NACOG) met in December and discussed the Arizona Commerce Authority and the Rural Grant Opportunity. He said it was available last year for \$1.5 million and would be available for the same amount that year. He said that NACOG was going to apply for \$100,000. He said they helped 18 stage two growth companies and 116 jobs last year. He noted that the Enterprise Zone Commission was going away but two companies were still involved.

Councilman Kuknyo said that the Aker Trust Board was encouraging applications for events that benefited music and art for the children of Prescott. He said that he and Joe Baynes would tour the Horsely property that week to look into risk mitigation. He noted that on January 13, he would talk with the Historic Preservation Committee on the Ken Lindley wall.

He said the new tournament calendar would be presented to Prescott Area Lodging Association (PALA) on January 27. He said Parks and Recreation was trying to work with the hotel and motel people in town to coordinate with them.

He said the Central Yavapai Municipal Planning Organization (CYMPO) was going to have a new election of officers on January 11. They would discuss surface transportation funds. He noted that Kendall Jaspers and the Prescott Downtown Partnership were going to do a business survey to determine who was operating in the downtown buildings.

Councilman Lamerson said they would be meeting on some code rewrite business. He noted that he and Councilman Blair met on a Water Advisory

Committee. He said they had an informative presentation from the Arizona Department of Water Quality with regards to the lakes.

Councilman Arnold noted that the Preservation Commission talked about Ken Lindley field and setting goals for the coming year. He noted that there should be some applications coming in from the Advisory and Appeals Board. He said that Access 13 was reviewing their needs and resources.

He noted that there were 3,000 – 4,000 people at both of the Boot Drops, combined. He said the Eagles were not going to take the \$1,500 the City had committed. He said they were able to fund it through private contributions.

Councilman Hanna said the General Plan Committee would meet on December 11, 2011, at 4:00 p.m. He thanked the Eagles for a good job on the Boot Drop.

Councilman Blair said that the General Plan would be working on water elements, which was one of the bigger issues. He said the Water Advisory Committee included a discussion to go to the technical committee to revise the United States Geological Survey report. They wanted to get it done in the next couple of months but he did not think it should be a rush. He wanted all the avenues explored.

V. ADJOURNMENT

The Prescott City Council Workshop adjourned at 4:11 p.m.

SPECIAL MEETING

I. CALL TO ORDER

Mayor Kuykendall called the meeting to order at 4:19 p.m.

II. ACTION ITEM

A. Recess into Executive Session

COUNCILMAN LAMERSON MOVED TO RECESS INTO EXECUTIVE SESSION; SECONDED BY COUNCILMAN BLAIR; PASSED UNANIMOUSLY.

The Prescott City Council recessed into Executive Session at 4:19 p.m.

III. EXECUTIVE SESSION

- A. 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, and discussion or consultation for legal advice with the attorney or attorneys of the public body, pursuant to ARS 38-431.03(A)(3) and (4), respectively.

1. Linscott claim

IV. ADJOURNMENT

The Prescott City Council reconvened into Open Session at 4:41 p.m. at which time the Special Meeting of January 3, 2012, adjourned.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

ELIZABETH A. BURKE, City Clerk