

PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, FEBRUARY 7, 2012
PRESCOTT, ARIZONA

MINUTES OF THE PRESCOTT CITY COUNCIL WORKSHOP held on February 7, 2012, in the CITY HALL COUNCIL CHAMBERS located at 201 SOUTH CORTEZ STREET, Prescott, Arizona.

◆ **CALL TO ORDER**

Mayor Kuykendall called the meeting to order at 3:00 p.m.

He noted that they would hold public discussion for a later meeting.

◆ **INVOCATION** Pastor Bill Bassham, Prescott Seventh Day Adventist Church

Pastor Bassham gave the invocation.

◆ **PLEDGE OF ALLEGIANCE** Councilman Hanna

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

◆ **ROLL CALL:**

Present:

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

Absent:

None

I. RECOGNITION

A. Recognition of the Police Department Explorers

Chief Kabbel introduced Officer Mike Frascone

Officer Mike Frascone talked about the recent achievements of Post 778 at the 14th Annual Chandler Tactical Competition from January 13, 2012, through January 15, 2012. He noted there were approximately 53 other posts there from the United States.

He introduced the Explorers as Mike Sischka, Josh Dillenbeck, Eli Lewis, Jon Szmanski, C.J. Chavez, Nathaniel Trujillo, Alex Halley and Ian Winsky.

They took home first place awards for Incident Command Scenario, Sniper Challenge, Crisis Negotiation and Tactical Emergency Medical Support. A second place award was earned for the Pistol Shoot and Third Place was given for the Hogan's Alley Competition.

He showed a short video from the competition.

II. PUBLIC COMMENTS

A. Introduction of new businesses

Dave Maurer, Chamber of Commerce, introduced three new businesses.

- ▶ Mr. Bernie Doyle noted that American Family Insurance was located at 3773 Crossings Drive, Suite B, his cell number was 928-460-2888.
- ▶ Cathy Gibbons introduced Gibbons Design and noted that she developed logos, flyers, brochures and banners. She said she could be contacted at 928-420-2525 or gibbonsgraphicdesign.com
- ▶ Julie Adams opened the Miller Valley Indoor Art Market at 531 Madison Avenue on Miller Valley Road. She said they had over 90 artists displaying their works, had live music and served gourmet coffee and pastries. Her phone number is 928-237 9282 and her cell phone number is 281-728-1306.

B. Tom Collins and neighbors re speed limit on Smoketree

Councilman Hanna left the chambers at 3:18 p.m. and was back at 3:19 p.m.

Mr. Collins, representing Prescott Lakes, noted that the homeowners gave a petition to the Traffic Coordinating Committee last year with over 120 signatures, along with arguments. He said that Smoketree Lane was raised from 30 miles per hour (mph) to 35 mph. Their goal was that the speed limit would be dropped back down to 30 mph. He noted that there were five intersections, 4 crosswalks, 1 roundabout, 1 golf cart crossing and 1 golf cart maintenance garage exit and entrance. He said there was also a designated bike path and many walkers in the area.

Mr. Mattingly said the staff did a speed study in that area. He noted there was one location on the east end, where the west bound traffic was going 44 mph, which was the 85th percentile. He said the 85th percentile was the speed at which 85 percent of the drivers were going at or below. He said the speeds in the other areas varied and were lower. The study was redone when the petition was submitted and the speeds had not increased after the limits were raised. Councilman Hanna asked if there were more accidents since the limit was raised. Chief Kabbel said no.

Mr. Mattingly said they had been monitoring the location and there had been no collision problems prior to or since the increase. Councilman Arnold asked if they reviewed the signage since the speed limit change. Mr. Mattingly said yes. He did notice that there was heavy landscaping in that area. There was a request that additional signing be added to the golf cart crossings.

Councilman Blair asked if the road was designed as a collector/ connector road. Mr. Mattingly said it was designed in the late 1990's, as a major collector. He noted that the stretch that they posted had no frontage properties.

Councilman Blair noted that it had been designed for safety as a major collector and asked why they would change it. He said the road was designed to move people and it was the responsibility of the homeowners to understand that.

Councilman Kuknyo asked if the homeowners had witnessed some close calls. Mr. Collins said that he had been one of them and it was not from the residents, it was the people going from point A to point B. He said the landscaping had been cut back, but at the triangle site area, it was not designed for 35 mph.

Councilman Lamerson noted that stop signs and posting the speed limit did not work and suggested they had more policemen in the area.

C. Haley Hyatt of Catholic Charities re *"In their shoes..."* community action poverty simulation

Ms. Hyatt, representing Catholic Charities, invited the community to the event on February 25, 2012, from 9 a.m. to noon at the Sacred Heart gymnasium. The purpose was to bring a poverty simulation to town. She noted that they had been met with great success in other towns. She said it was about bringing the community together to better understand the connection between poverty and violent crime, teen pregnancy and dropout rates. She noted that other institutions were working with them to

bring the event to the community. She noted the number to call for registration was 778-2531.

D. Carol Friedman re the Yavapai Symphony Guild

Ms. Friedman noted that Music Memory was an all volunteer group that worked with third through fifth grade students to teach them four pieces of classical music. They had 297 children when they began and now have 4,450 children signed up. She handed out tickets to the Music Memory event at Tim's Toyota Center on March 5, 2012.

III. PRESENTATIONS

A. Presentation by the Prescott Area Arts and Humanities Council re a Public Art Policy

Cindy Gresser said that art was a part of Prescott since its inception. She noted that the first artists were the ones who built the Governor's Mansion. She noted that it was completed in 1864, and currently stood at Sharlot Hall Museum, which was financially supported by the City of Prescott since 1927. She noted that opera houses and small theaters were built over the years until the Elks Opera House came into existence. She said that when City Hall was constructed in 1964, a mural was painted on the wall by the Honorary Council to Arizona from France, Paul Coz. She noted two other pieces of art in the Council Chambers painted by an Arizona Painter named Kate T. Cory.

Ms. Gresser said that Prescott enjoyed wonderful assets. She noted that an art policy was missing to provide guidance for appointed and elected officials and the citizens. She said that Prescott Arts and Humanities Council (PAAHC) was formed as a nonprofit in 1974 to seek funds to bring arts and culture to the City of Prescott. She listed arts shows that they were responsible for in the City.

She said that a small group of citizen volunteers had come together to draft an Arts and Culture Policy for the City of Prescott. She introduced those individuals as Elisabeth Ruffner, Historian and Founder of PAAHC, E'lynn Colaianni, art teacher at Northpoint High School, Debra Owen, arts activist and community organizer, Gregg Payne, former Commissioner for the Arts, Chico, California and Cindy Gresser. She said that they would find and develop, utilizing ordinances adopted by communities Nationwide, a draft of the public arts policy for the City of Prescott. She said among their goals would be to provide a structure that would protect, enhance, serve and advocate for excellence in the arts and culture, support and develop the arts and cultural community and industry and

build framework, policies and procedures for the purchase, installation or acceptance of any form of public art within the City.

She noted that they hoped that upon completion of their work, the City would appoint an arts commission that would continue the work and develop and ordinance to be adopted by City Council, forming Prescott's public arts policy. She asked that the Mayor and Council recognize the group of individuals and said that they would come back to Council in August of 2012, with a draft.

Mayor Kuykendall thanked them for taking on the challenge.

B. Presentation of the Willow Creek Road Realignment PARA Study

Charlotte Glendenning, Regional Transportation Planner with Arizona Department of Transportation (ADOT), said they came to introduce Council to a recent planning study. She said the study was 100 percent funded through the Planning Assistance for Rural Areas, which ADOT administered. ADOT then hired AECOM, with Kate Bondy and Jennie Bixby, consultants to the projects, to prepare the study. She said they also worked with a technical advisory committee made up of representatives from the City of Prescott, Chino Valley, Yavapai County, Central Yavapai Municipal Planning Organization (CYMPO), and the State Land Department, and they coordinated with ADOT.

She noted that they developed Working Paper I to identify existing and future conditions as they related to population projections and traffic volumes. She said it was a planning study that was initiated by the City of Prescott and was a competitive process. She noted that Ian Mattingly prepared two fantastic applications and they awarded over \$300,000 to the Prescott area for the Willow Creek Study and the Sundog Corridor.

She introduced Kate Bondy who showed a PowerPoint presentation which showed.

- STUDY AREA
- PROJECT NEEDED
- PROJECT PURPOSE
- STUDY OBJECTIVE

Councilman Arnold left the room at 3:57 p.m.

- PROJECT HISTORY

- LAND USE CONDITIONS
- ROADWAY/TRAFFIC CONDITIONS
- ADOT SR 89 WIDENING PROJECT, PHASE 1 (DESIGN ONGOING)
- PREVIOUSLY SUGGESTED ALIGHMENTS

Councilman Arnold returned at 4:02 p.m.

- POTENTIAL EVALUATION CRITERIA
- PROJECT SCHEDULE & STUDY MILESTONES
- NEXT STEPS
- OPEN DISCUSSION

Councilman Lamerson said the demands on Highway 89 were not just from the City of Prescott. He said they did have to deal with what was going on around the City. He appreciated that the City had to be involved in the planning process. He noted that what may be looked at that day may not be what they wanted 10 years from then.

Mayor Kuykendall asked if there had been any consideration given that some of the projected traffic volumes to the year of 2035 had been modified in the last three to four years due to the economic downturn. Ms. Bondy said the projections were lower but they would use the CYMPO numbers to validate their numbers and make sure they were current.

Jennie Bixby said they would look at the census data and validate their numbers with the CYMPO numbers.

Mayor Kuykendall said he was concerned with traffic coming out of the airport and only being able to make a right turn. He said it would be difficult for fire protection to have to turn right and go north for over one half a mile in order to make a U turn on the roundabout to go south to get to where the fire was.

Dallas Hammit, Arizona Department of Transportation, Deputy State Engineer for Development, said that they had two current ADOT projects on Highway 89. They are going to put their design on the Center Project on hold and let the parent study get done in July, and come up with a

preferred alignment, so the final Highway 89 Project could match that study.

Mayor Kuykendall said the road to the west would be Prescott's responsibility. We said that it may relieve the need for the six lanes on Highway 89. He said that he believed that Mr. Hammit would help the City where he could. Mr. Hammit said that it would depend on the funding, but they could look at different partnerships.

Councilman Lamerson asked when they projected populations and growth if they considered the restrictions and complications of water limitations. Dallas Hammit said they relied on CYMPO for their forecasts. Mayor Kuykendall said that the County had taken an active part in the planning for the area. He asked if Mr. Hammit knew why they wanted to eliminate Willow Creek Road in its current form. Mr. Hammit said that he did not.

C. Board/Commission liaison reports

Councilman Carlow said the Fire Prevention Division of the Fire Board of Appeals would be drafting some amendments to the Code in the Spring of Summer. He said the Enterprise Zone Commission was in the process of sun setting and there were only two companies benefitting from the tax credit and they were in their final year. He said there was not need for another meeting.

He noted that 40 letters were sent out to non profits through Community Development Block Grant (CDBG) and the next day they would have presentations from the people who were applying. He expected that there would be about \$225,000 available. He said that they would rank the funding requests the following week.

He said that Northern Arizona Council of Governments put in for a \$120,000 grant for economic gardening. They were looking to help 20 companies with 40 jobs throughout the area. Northern Arizona Center for Entrepreneurship and Technology was looking for a grant for a second building in Flagstaff. He noted that the Local Work Investment Board (LWIB) was looking for sector strategies and where they needed to focus regionally. They would meet in another month to determine economic engines and target industries. He said that money was available from the Arizona Commerce Authority.

Councilman Kuknyo said that Prescott Downtown Partnership (PDP) had a new chairman, Anita Payne, with Arizona Public Service (APS). He said they reviewed last year and made plans for the future, looking at events that did and did not do well. He said there was some concern about how

the City was using the Bed Tax money. He noted that the Ken Lindley wall was gone and five Spruce trees had been planted. He said there were seven presentations at the Acker Trust meeting regarding who would get some of the trust money. CYMPO would have a talk on February 15, 2012, to get a letter of support to restore the Highway User Revenue Fund, which was the gas/vehicle tax money used to maintain the roads.

He said that the City would be entertaining the Mayor of Zeitz, Germany from February 12 to 14 and thanked the local businesses for their support.

Councilman Lamerson said that the UDC committee would meet February 29, 2012. He said they had discussed electronic signage and guest quarters. He noted that the Council wanted to address some of the codes to stimulate redevelopment, without putting the public in harms way. Planning and Zoning met to discuss a special use permit for a generator to be added to an existing wireless cell site on Willis Street. He said that Prescott Creeks, a member of the Water Issues Committee, presented a new brochure that encompassed the entire watershed. He noted that the Chamber of Commerce did not have a lot to do with economic development.

Councilman Arnold said that the Advisory and Appeals Committee was beginning to identify the new building code adoption and Americans with Disabilities Act (ADA) implementation. He said the new building codes would be a complex process. He noted the Historic Preservation Committee was able to finalize their goals for the year. He said that on Friday, February 24, 2012, from 10:30 a.m. to 2:00 p.m. at the Yavapai College gymnasium, the Prescott Chamber, Department of Economic Security and Yavapai College were putting on their career and job fair. He said there were over 45 employers scheduled to be there. He noted that Access 13 was continuing to look for additional space. He said they were contemplating a channel 15, which would be a government only channel.

Councilman Hanna said that all of his committee news had been covered by the other Councilmen.

Councilman Blair thanked everyone for hanging in there on the General Plan every two weeks. They completed the water element and had moved into land use section. He said they met the prior day with a regional trails group, including Yavapai County, to put in a subsection to an element for land use for having trails as part of the economic development section of the General Plan. He explained the acronyms for the water committees.

IV. DISCUSSION ITEMS

A. Discussion of potential changes to the Prescott City Code

City Manager McConnell said the purpose of the item was to create a list of topics proposed to be added or modified within the City Code.

Councilman Blair left the room at 4:35 p.m.

He said the City Code was an assortment of rules, regulations and policies which set forth how the City operated. He said it constantly needed to be addressed to look for updates. He noted that they would identify items and address them more in depth in the future.

Councilman Blair returned to the Chambers at 4:37 p.m.

Mr. McConnell said that he would briefly go through the list and see if Council had any comments.

He noted that Title I in the Code addressed personnel and human resources items and that they were constantly changing. He said if the Code was too specific it would be outdated almost continuously. He suggested they look at content and that the detailed implementation could be done administratively.

He said that Title I, Chapter I-10 pertained to claims against the City. He noted that it needed to be update to reflect current procedures for approval, disapproval and payments.

Title II set forth the departments of the City which was outdated. He said that departments were in the Code that did not exist and departments had different functions than what the name indicated.

Title II, Chapter 2-13, Field Operations Department; Solid Waste, was an example since there was no Field Operations Department. He said that it would become Field and Facilities Department when the director was on board on February 13, 2012. He said it would be formalized when the Council took actions on the recommendations staff would make. He said with respect to solid waste, a decision was made that the City would not operate outside the City limits for residential or commercial solid waste collection. He noted that it was important that the item was updated in the City Code.

He noted that there were several items under the Public Works Department. He said the City was required to comply with State and Federal laws concerning the local limits and it needed to be updated.

He noted that the Water Conservation Code, Title II, Chapter 10-11 stated the specific numbers for safe production, how much water the City could produce and deliver to the City for use. He noted that the number was not correct and needed to be updated. He said the City's capacity was different than it said in the City Code. If there were an emergency where they lost their pipeline or there was a drought and they had to implement more severe water conservation that would be an important section of the Code.

Title VIII, Chapter 8, 1 - 2 addressed sidewalks and City right of way. He noted that a tree limb fell from a tree located in City open space. It fell on two cars which prompted discussion about sidewalks and who was responsible. He noted that the Code said the adjacent property owner was responsible for the sidewalk in City right of way. He said it would take extensive discussion because it would have extensive financial implications. He said that he anticipated a workshop on that topic.

He noted that general engineering standards needed to be updated. He said they were in the process with input from the local engineering community. He said that the Drainage Criteria Manual also needed to be update as drainage became more important as the patterns changed.

He said it was an initial list. He noted that it was an ongoing responsibility to keep the codes current and for the staff to provide presentations to the Council.

Councilman Arnold asked if there was still an opportunity for individual department review to see if there were functionality problems with the codes. He said the Council did not hear it enough from staff where modifications could be made. He said that he was correlating the codes to the budget so they could streamline the codes and eliminate some hurdles. He said they had to pay attention to the unintended consequences of their decisions. He noted that he would have a lot to add to the list.

Councilman Lamerson said there may be some implications on revenue streams and how the City generated revenue for certain departments, like Police and Fire. He would also like to look at how they funded their roads and see if they could change any of those things.

Mr. McConnell said that any workshop would address the points made by the Councilmen. Mayor Kuykendall asked if it would be helpful if each Councilperson gave him a work list to work from. Mr. McConnell said they could convey it to him and he would put it on the list.

Councilman Blair said that some of the Council had a concern with Risk Management being tied back in with the Legal Department. He asked if they would bring it up to discuss if that would be appropriate or not. Mr. McConnell said that it was an appropriate topic and that conversation could come within the budget process, within the organization item on the Code update or it could arise in discussion of how they handled claims. He said they would be discussing the topic in one or all of those venues.

Councilman Blair said they talked about looking at the City Code and redoing the flow chart as far as departments and department heads went. Mr. McConnell said the Fiscal Y13 budget needed to reflect some changes in organization.

Councilman Hanna said that they needed input from staff and public. Mr. McConnell said that staff would create a draft schedule for the workshops.

V. ADJOURNMENT

There being no further business to be discussed, the Prescott City Council Workshop of February 7, 2012, adjourned at 4:54 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 7th day of February, 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