

PRESCOTT CITY COUNCIL  
REGULAR VOTING MEETING  
TUESDAY, NOVEMBER 13, 2012  
PRESCOTT, ARIZONA

MINUTES OF THE REGULAR VOTING MEETING OF THE PRESCOTT CITY COUNCIL HELD ON NOVEMBER 13, 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** by Ken Vick, Church of Jesus Christ of Latter Day Saints.

◆ **PLEDGE OF ALLEGIANCE** by Councilman Scamardo.

◆ **ROLL CALL:**

Mayor Kuykendall  
Councilman Arnold  
Councilman Blair  
Councilman Carlow

Councilman Kuknyo  
Councilman Lamerson  
Councilman Scamardo

◆ **PROCLAMATIONS**

A. WORLD AIDS DAY

Councilman Kuknyo read the proclamation declaring December 1<sup>st</sup>. WORLD AIDS DAY, and presented the proclamation to Trisha Goffena, Executive Director Northland Cares Clinic and Kevin Keighron, Northland Cares President of the Board of Directors.

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. **CONSENT AGENDA**

A. Approval of the minutes of the Prescott City Council Workshop of July 7, 2012; Special Meeting of August 14, 2012; Special Meeting of October 23, 2012; and Regular Voting Meeting of October 23, 2012.

B. Approval of Council meeting schedule for December 2012 and January 2013.

**COUNCILMAN Arnold MOVED TO APPROVE CONSENT AGENDA ITEMS I.A.-I.B.; SECONDED BY COUNCILMAN Blair ; PASSED UNANIMOUSLY.**

## **II. REGULAR AGENDA**

- A. Public Hearing and consideration of a liquor license application from Gregory Theodore John Sensdt, applicant for GTJS, Inc., for a Series 12, Restaurant license, for Cattleman's Bar & Grill located at 669 East Sheldon Street.

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

**COUNCILMAN LAMERSON MOVED TO APPROVE A LIQUOR LICENSE APPLICATION NO.12133540, FOR A SERIES 12, RESTAURANT LICENSE, FOR CATTLEMAN'S BAR & GRILL LOCATED AT 669 EAST SHELDON STREET; SECONDED BY COUNCILMAN KUKNYO; PASSED UNANIMOUSLY.**

John Sensdt addressed Council and said he is looking at December 14<sup>th</sup> for an opening date.

- B. Acceptance of grant funds from the Gila River Indian Community to City of Prescott on behalf of the Arizona Wildfire and Incident Management Academy.

**COUNCILMAN BLAIR MOVED TO APPROVE ACCEPTANCE OF GRANT FUNDS FROM THE GILA RIVER INDIAN COMMUNITY TOTALING \$150,000 OVER THE NEXT THREE YEARS ON BEHALF OF THE ARIZONA WILDFIRE AND INCIDENT MANAGEMENT ACADEMY; SECONDED BY COUNCILMAN ARNOLD; PASSED UNANIMOUSLY.**

City Manager McConnell introduced the item. The Gila River Indian Community is granting \$150,000 over the next three years to support the Arizona Wildfire and Incident Management Academy. This is a very well organized and well attended event. The City of Prescott acts as the fiscal agent for Wildfire Academy through an agreement which has been in place for a number of years.

Councilman Lamerson thanked Mr. McConnell for pointing out the accountability how this comes about and thanked the Gila River Indian community for participating in this.

- C. Adoption of Resolution No. 4152-1313 approving the allocations of costs of developing and implementing the Big Chino Monitoring Plan and the Big Chino Model.

**COUNCILMAN ARNOLD MOVED TO ADOPT RESOLUTION NO. 4152-1313; SECONDED BY COUNCILMAN CARLOW; PASSED UNANIMOUSLY.**

City Manager McConnell introduced this item, reporting that on February 11, 2010, the City of Prescott, Town of Prescott Valley, Salt River Valley Water Users' Association, and the Salt River Project Agricultural Improvement and Power District entered into "An Agreement of Principle". Mr. McConnell explained this action is a formality in performance of the agreement that Council has already approved.

Howard Mechanic, Prescott resident, questioned if these expenditures are part of the Big Chino project and will they be entered into the city's accounting books for the Big Chino project.

Mark Woodfill said yes. Mr. Mechanic called attention to an article he read in the newspaper related to where the money was coming from. Mr. McConnell said the information in the paper was incorrect. There has been no change in the way the City is financing.

Michael Peters, Prescott resident, said the agreement the Council entered into should be looked into by the Interim City Attorney. Since Prop 401 is in the City Charter, the Council cannot spend a single penny without going to the voters. If you do not have the voter approval of the expenditure of monies how can you have the legitimate right? We have a taxpayer limitation. Can you enter into a binding contractual agreement without taxpayer approval, Mr. Peters asked. Do any Councilmen believe that the Big Chino will cost more than \$200 million?

Councilman Blair pointed out that Prop 401 was approved after a contract was issued to Prescott Valley for the Big Chino. In 2004 this contract was approved and the initiative resolution was adopted in 2009.

- D. Approval of Memorandum of Understanding with the Yavapai-Prescott Indian Tribe for pass-through funding of contributions to various community non-profit recipients.

Mr. McConnell said this is similar to item II.B. on the agenda. These are funds from the Yavapai-Prescott Indian Tribe. This has been done in previous years where the tribe determines some local non-profit agencies as recipients to allocate Proposition 202 monies to them. The City acts as the fiscal agent for pass through funding.

**COUNCILMAN ARNOLD MOVED TO APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE YAVAPAI-PRESCOTT INDIAN TRIBE; SECONDED BY COUNCILMAN KUKNYO; PASSED UNANIMOUSLY.**

- E. Adoption of Resolution No. 4151-1312, accepting \$50,300 from the FY2012 Homeland Security Grant Program for the purpose of enhancing state radio interoperability.

Deputy Police Chief Reinhardt introduced this item. He explained we currently provide transports to the Verde River and the air system does not provide adequate coverage in the Prescott basin area. Often times the officers doing the transports to the jail lose contact. Awarded funds will be utilized to enhance reception and transmission functionality of the Arizona Interagency Radio System frequency within the Prescott basin. This will enhance officer's safety.

Deputy Chief Reinhardt pointed out that the Western Region of the Department of Homeland Security prioritizes their grant submissions and they rated this submission as their number one priority to meet their goals.

Councilmen thanked Deputy Chief Reinhart for bringing this forward.

Sandra Smith, citizen of Prescott, said she supports this grant because people's lives can depend on this. She has been in similar circumstances in the Denver area.

**COUNCILMAN LAMERSON MOVED TO ADOPT RESOLUTION 4151-1312; SECONDED BY COUNCILMAN KUKNYO; PASSED UNANIMOUSLY.**

- F. Approval of a professional services agreement with Granite Basin Engineering, Inc., for engineering and design of the 2013 Dexter Neighborhood Sidewalk Improvement Project in an amount not to exceed \$30,000.00

Mark Nietupski presented this item, which is an engineering contract for the Dexter Neighborhood sidewalk improvement project. The Public Works and Community Development departments have worked jointly to expedite delivery of the sidewalk infrastructure improvements for the Dexter Neighborhood. Installation of sidewalks will allow greater connectivity to schools, Yavapai Regional Medical Center, and retail businesses. Funding is available through Federal Development Block Grants (CDBG).

**COUNCILMAN ARNOLD MOVED TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH GRANITE BASIN ENGINEERING, INC.,**

**FOR ENGINEERING AND DESIGN OF THE 2013 DEXTER NEIGHBORHOOD SIDEWALK IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$30,000.00; SECONDED BY COUNCILMAN BLAIR PASSED UNANIMOUSLY.**

- G. Award of bid and contract for the Water Storage Tank Remote Operated Vehicle Inspection Project to Riley Industrial Services, Inc., in an amount not to exceed \$34,465.00.

Joel Berman, Utilities Manager introduced the item saying that this item is to award a contract with Riley Industrial Services, Inc., for inspection of 18 City owner water storage tanks using a remotely operated apparatus. The inspections will come from specialized personnel with the required accreditations. The goal is a prioritized list of maintenance to meet sanitary, safety, structural, and coding requirements. Four bids were received. City staff is recommending going with the lowest bidder. Work would be completed within 90-days of the notice to proceed.

Divers and tanks have been used in the past, but for safety reasons the City has opted to keep divers out of the tank at this time and to use the remote operated apparatus.

Councilman Kuknyo asked about buying our own equipment. Mr. Berman said we do not have an employee that has the needed certification. We need these people to provide the necessary information so we spend our money as wisely as possible.

**COUNCILMAN KUKNYO MOVED TO AWARD THE BID AND CONTRACT FOR WATER STORAGE TANK REMOTE OPERATED VEHICLE INSPECTION PROJECT TO RILEY INDUSTRIAL SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$34,465.00; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.**

- H. A request by Yavapai College for a variance to City Code, Title 8-6-2 to allow the placement of an electronic monument sign within the public right-of-way; and to grant an exception to the Land Development Code Article 6.12, pertaining to the size and height of the sign; and a License Agreement (tabled item from 10/23/12 meeting).

Councilman Arnold reported he, along with the Mayor, Public Works Director, and Yavapai College staff, attended a second meeting today to discuss the sign request, and they concur to table this item to the last meeting in the month. They are going to look at options.

**COUNCILMAN ARNOLD MOVED TO TABLE ITEM H. UNTIL THE NOVEMBER 27<sup>TH</sup> COUNCIL MEETING; SECONDED BY COUNCILMAN CARLOW PASSED UNANIMOUSLY.**

- I. Adoption of Ordinance No. 4843-1242 to accept a Map of Dedication for real property and easements from Granite Dells Estates Properties, Inc., for Airport area Zone 12 utility improvements.

Councilman Arnold declared a conflict of interest and stepped away from the dais at 3:55 P.M.

Mark Nietupski, Public Works Director, introduced the item and said the Map of Dedication is necessary for the construction of the new Zone 12 water reservoir. It will be constructed under a future contract subject to Council approval. The only costs the City will incur will be escrow fees, estimated to be about \$1,700.

Councilman Arnold returned to the dais at 3:59 P.M.

**COUNCILMAN SCAMARDO MOVED TO ADOPT ORDINANCE NO. 4843-1242; SECONDED BY COUNCILMAN LAMERSON; PASSED 6-0.**

- J. Adoption of Resolution No. 4153-1314 designating the mid-block pedestrian crossing on South Montezuma Street between Gurley and Goodwin Streets as the "Sam Steiger Crosswalk".

Mayor Kuykendall presented this request, which was first presented to Council at the October 2, 2012, Council Workshop. The Mayor read a letter from Matt and Diana Butitta.

Butch Hampton, on behalf of Matt Butitta, wants this project to move forward. They have not collected enough funds at this time, but it will be privately funded by citizens of the community. They are hoping the City will allow this recognition and at a future date they will bring back a design of what they would like to place at the crosswalk. It will come to the Council before it gets produced.

Councilman Blair read the resolution in full Councilman Scamardo requested a slight editing change in the location listed on the resolution. There were no objections. Councilman Blair pointed out that Sam Steiger should be remembered for all his efforts and accomplishments and not just the crosswalk.

Daniel Matson, Prescott resident, said he supports the plaque, and suggests putting other accomplishments on the plaque.

Darryl Anderson, Prescott resident, addressed a safety issue. On the west side there are bushes, and when driving south, the bushes hide the small children. Vehicles do not stop unless someone is in the crosswalk.

Councilman Lamerson suggested a plaque in the sidewalk.

**COUNCILMAN BLAIR MOVED TO ADOPT RESOLUTION NO. 4153-1314 AS AMENDED; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.**

### III. ADJOURNMENT

There being no further business to be discussed, the Regular Voting Meeting of October 23, 2012, adjourned at 4:14 p.m.

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MARLIN D. KUYKENDALL, Mayor

ATTEST:

\_\_\_\_\_  
LYNN MULHALL, 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 13th day of November, 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

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LYNN MULHALL, City Clerk