

PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, NOVEMBER 6, 2012
PRESCOTT, ARIZONA

MINUTES OF THE WORKSHOP OF THE PRESCOTT CITY COUNCIL HELD ON NOVEMBER 6, 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 Blair led the Council and audience in the Pledge of Allegiance.

◆ **ROLL CALL**

Present:

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

Absent:

None

I. PRESENTATIONS

- A. Joni Hoffman and Ken Strobeck - League of Arizona Cities and Towns re charter city status and impacts of state legislation

Ken Strobeck, Executive Director of League of Arizona Cities and Towns reported that 1,395 bills were introduced last legislative session and many of the bills have direct impact on cities and towns.

The League meets with various people and committees to fight off legislation that is designed to take away local authority and in some ways limits the abilities of cities and towns to do what they need to do to get the job done at the local level. They also meet with cities and towns and depend on them to have good relationships with their legislators.

In regards to the consolidated elections law, Mr. Strobeck said, the constitution does allow legislators to make general laws that apply to all entities equally. Although the constitution allows for the formation of a city charter, and the charter becomes the organic law of the city, there is a limit on how far that can go. The courts have ruled that it only applies to

issues of immediate concern to the local jurisdiction and not matters of state-wide concern. The question is, is this a local matter or state-wide matter? Lately the courts have ruled that the Charter is supreme in some areas and not supreme in matters of statewide concern. Tucson has filed a lawsuit and the case will be working its way through the judicial system.

Councilman Lamerson said he supports Tucson in their lawsuit. Local elections should be controlled by the local municipality.

Councilman Arnold said moving forward, we need to get a legal analysis when the state passes a law that does impact the city, whether or not it has an impact on our city or a conflict with the Charter which was approved by our voters. He said he would like a future workshop to delve into this deeper.

Councilman Blair said that the number of lobbyists allowed in the room at the times these bills are discussed should be limited because there is no room for the local elected officials to participate in the process.

Mayor Kuykendall asked about the consolidated elections law, and pointed out that Senator Pierce supported Prescott's position. Our interest is somewhat different. Do we need to sue? Is there a common interest we can tag onto? Mr. Strobeck said the charter should be prevailing law. With that in mind, is it a local or state matter? The intention of the City of Tucson is to start at the Superior Court in Pima County and as it is appealed through the process, will take on other additional charter cities as co-plaintiffs. The League will keep in touch, but for now we have to assume that HB2826 is the law of the land as far as the state is concerned, and we have to make provisions for that.

Joni Hoffman, General Counsel at the League, said the issue is whether the new law applies to any charter city. The issue is the same if you are a charter city. The League is waiting to see if Tucson wants any help. They may ask for help after it goes through this first phase. Regarding the upcoming elections, she recommends moving forward. She advises the Clerk to let candidates know their term may be affected.

Councilman Arnold said the City of Prescott has close to a 50% turnout in the odd years. There needs to be a lot of thought put into this. It would be worthwhile to have a discussion to review state laws before they are being passed.

B. Introduction of new businesses.

Erin Cornwell, membership director for Chamber of Commerce reported there were nine new Chamber members in October: Farmers Insurance –

Jeff Champ; Visalus; Matt's Saloon; Artful Eye Jewelry and Design; A Portrait Park by J; Helping Hands Coalition of America Inc., How Do I Treat Naturally; T.R. Miller Company; and Classic Taxi.

C. Elisabeth Ruffner - The Elks Opera House Foundation annual report

Elisabeth Ruffner introduced Barbara Watkins, Chairman of the Play Bill committee and Kay Hawks, Executive Director. She then shared some of the successes this past year, which was the first year since the Elks Opera House restoration was completed. The Elks Opera House Foundation was organized as a tax-exempt Arizona Corporation in 2002 for the purpose of restoring the opera house. Ms. Ruffner provided a brief history of the opera house. Last month she was elected President of the Foundation and Chairman of the Board.

D. Dr. Frank Ayers, Chancellor of Embry-Riddle Aeronautical University – 2013 Air Show

Dr. Ayers updated Council of what the University has been up to lately. Their engineering program has been ranked number one for the twelfth year in a row. Approximately 3,800 alumni work at the Boeing Corporation. This has put the City of Prescott on the map. Other programs are strong and many awards are given to the university. They continue to add degree programs. They also excel in sports. Students come from 50 states and 40 nations, Dr. Ayers reported.

Last year they had a private event at the airport, Dr. Ayers said. They have been approached by Women in Aviation International, which started on the Prescott campus. They have lined up an impressive list for the 2013 air show. Maybe now is the time to partner with the City to put together an event. We think it would be appropriate to alternate with the University in Florida. October 5th and 6th of next year is homecoming and would be a good weekend to hold the event. Schedules are determined in December and by December 15th all schedules are set. Decisions have to be made very soon. We think possibly 30,000 people would attend. We could make this a technology event for the City.

Dr. Ayers said we are not just a flight school anymore. We want to bring back people who have been associated with the University in the past and find a way for them to find a home here. He likes the idea of having an eastern alumni event one year and a western alumni event the following year. Embry Riddle is part of the Prescott community and he offers this as a potential partnership.

E. Friends of Jersey Lilly re fundraising for 2012 Courthouse lighting

Gary Edelbrock and Tommy Meredith presented and said this is their fifth presentation over the past five years, attempting to get friends to contribute to the lighting of the courthouse. With the support from the community the number of lighted trees has increased from twenty-eight lighted trees the first year to one hundred trees lit last year. Fund raising has increased up to \$9,500 last year. There is a fundraiser scheduled for Thursday night. Mr. Meredith said Prescott is the Christmas City. He thanked the City of Prescott for the \$30,000 donation. The rest of the money comes from private people. This event deserves much more credit and attention. It lasts over a month and generates other events in the City during that time.

The Council thanked them for their leadership and their efforts.

F. Proclamation for National Home Health and Hospice Month and Presentation by Sarah Bales, RN

Councilman Carlow read the proclamation and presented it to Sarah Bales, Admissions Coordinator for Good Samaritan Prescott Hospice, who explained what Hospice does. She shared a story of a personal experience with a patient, demonstrating the value of Hospice.

G. Proclamation for Blood Management Awareness Week and Presentation by Dr. Pierre Tibi

Mayor Kuykendall introduced Dr. PierreTibi, and read the proclamation declaring this week as Blood management Awareness Week. The Mayor presented the proclamation to Dr. Tibi and thanked the Doctor on behalf of the Council and the citizens of the City of Prescott.

Dr. Tibi said he is proud to be part of the City and community. He is here on behalf of the medical and citizen community. Patient blood management has been part of his life for the past 15 years. He is a blood conservationist, and the medical community is realizing the importance of this. Dr. Tibi reported that we are getting people from Phoenix to come to Prescott for heart surgery. He is hoping that with a certified blood management program we will continue to recruit patients to Prescott. This is a very specialized program.

H. Bob Greninger - Zeitz Sister City presentation

Councilman Kuknyo introduced Team Prescott, of which he is a member: Bob Greninger, President of Arizona Sister Cities and the Arizona State Coordinator, Margo Christensen, and Al Hoeger.

Mr. Hoeger introduced the presentation, comparing such things as population and taxes between the two cities. He traveled with the group as translator but was hardly used because most people spoke English.

Mr. Greninger said this partnership has potential for cultural and tourism exchanges. The students are the leading reason for the type of program it is. There is already a group in Zeitz wanting to come to the United States as part of an exchange program.

The program is not final at this time. The first step is to form a Sister City committee and then bring a resolution to the Prescott City Council for adoption.

I. Kathleen Murphy – Yavapai Big Brothers/Big Sisters

Presenter was not in attendance at meeting.

III PUBLIC COMMENTS

A. Brett Mierendorf - Alpine Pedaler business objectives and operation

Mr. Mierendorf introduced his wife Heidi and said he is a firefighter and she is a nurse in Flagstaff. Their Flagstaff Pedaler experience in the first year was so good they wanted to expand. This type of operation is a tourist magnet, and is used for restaurant and bar tours, dinner tours, birthdays, family reunions, anniversary, corporate team building, and weddings. They chose Prescott because of the great mix of locals and tourists.

Mr. Mierendorf explained that he came to Prescott to start his business and there seems to be some confusion in the City where to put this type of business. He and his wife decided to make the presentation in hopes of moving forward. He is willing to work with the City to make it happen.

IV. DISCUSSION ITEM

A. City-wide mowing operations

Due to the fact that this is Election Day, this item was postponed until the next Council meeting on November 27, 2013.

V. REPORTS

Board/Commission liaison reports will be rescheduled to a later date.

VI. ADJOURNMENT

There being no further business to be discussed, the Prescott City Council Workshop of November 6, 2012, adjourned at 5:20 p.m.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

LYNN MULHALL, City Clerk