



AGENDA

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, FEBRUARY 12, 2013
3:00 P.M.**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Regular Voting Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02. One or more members of the Council may be attending this meeting through the use of a technological device.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION** Eric Moore, Church of Jesus Christ of Latter Day Saints
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Arnold
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL

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

- ◆ **PROCLAMATION** – “Prescription Drug Abuse Reduction Initiative”.
- ◆ **PRESENTATION**
 - A. Prescott Police Explorers Recognition – Sergeant Scott
 - B. Presentation and update of the Fiscal Year 2013 Public Works Capital Improvement Program for Streets, Water, and Wastewater Facilities

- ◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

- I. **CONSENT AGENDA**

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

RECOMMENDED ACTION: MOVE to approve Consent Agenda Items I.A.-I.C.

- A. Approval of the minutes of the Prescott City Council Special Meeting of January 22, 2013 and Regular Meeting of January 22, 2013.
- B. Adoption of Ordinance No. 4851-1308 authorizing the grant of a Public Utility Easement to Arizona Public Service Company located on City property at the Airport to support the new Federal Aviation Administration Instrument Landing System.
- C. Approval to purchase one (1) refurbished, used CB5000JP waste oil heater from Massie Electric, LLC, in the amount of \$12,532.25.

II. REGULAR AGENDA

- A. Public Hearing and consideration of a liquor license application from Paula Marie Farley, applicant for C-Stop for a Series 10 Beer & Wine Store, license, located at 335 Grove Avenue.

RECOMMENDED ACTION: (1) MOVE to close the Public Hearing; and (2) MOVE to approve/deny Liquor License Application No.10133245, for a Series 10, Beer & Wine Store, license, for C-Stop located at 334 Grove Avenue.

- B. Election of members to the City of Prescott Industrial Development Authority.

RECOMMENDED ACTION: MOVE to accept the Council Appointment Committee recommendation to elect Stephen P. Sischka with a term to expire November 2018, Michael S. Danowski with a term to expire November 2016, and Robert W. Cihan to expire November 2014, to the Board of Directors of the City of Prescott Industrial Development Authority.

- C. Appointment of member to the Parks and Recreation Advisory Board.

RECOMMENDED ACTION: Move to accept the Council Appointment Committee recommendation to appoint Tom Dwyer to the Parks and Recreation Board with a term to expire March 2014.

- D. Increasing membership to seven (7) and the appointment of two members to the CDBG Citizen Advisory Committee.

RECOMMENDED ACTION: Move to accept the Council Appointment Committee recommendation to increase membership to seven members and appoint Tracey McConnell and Eleanor Lavmark to the CDBG Citizens Advisory Committee with a term to expire March 2014.

- E. Approval of two grant applications to the Governor's Office of Highway Safety seeking funding in the total amount of \$50,000.00.

RECOMMENDED ACTION: MOVE to approve completion of two grant applications to the Governor's Office of Highway Safety for total grant funds in the amount of \$50,000.00.

- F. Approval of a professional services contract with Kelley/Wise Engineering, Inc., for engineering and design of the Goldwater Lake Park – Day Use Expansion Project (Phases I & II) in an amount not to exceed \$88,248.00.

RECOMMENDED ACTION: MOVE to approve a professional services contract with Kelley/Wise Engineering, Inc., for engineering and design of the Goldwater Lake Park – Day Use Expansion Project (Phases I and II) in an amount not to exceed \$88,248.00.

- G. Purchase of 720 each Otto Environmental residential containers using Houston-Galveston Area Council (HGAC) contract pricing in the total amount of \$35,866.80 (tax included).

RECOMMENDED ACTION: MOVE to approve the purchase of 720 each Otto Environmental residential containers using Houston-Galveston Area Council (HGAC) contract pricing in the total amount of \$35,866.80 (tax included).

- H. Award of bid and contract for Water System Leak Detection Services to National Meter and Automation, Inc., in an amount not to exceed \$24,727.00 .

RECOMMENDED ACTION: MOVE to award the bid and contract for Water System Leak Detection Services to National Meter and Automation, Inc., in an amount not to exceed \$24,727.00.

- I. Award of bid and contract for the 2013 Dexter Neighborhood Sidewalk Improvement Project to Alliance Street Work, Inc., in the amount of \$269,583.80 (Community Development Block Grant funding)

RECOMMENDED ACTION: MOVE to award the bid and contract for the 2013 Dexter Neighborhood Sidewalk Improvement Project to Alliance Street Work, Inc., in the amount of \$269,583.80.

- J. Adoption of Ordinance No. 4850-1307, providing for the definition of Park Rangers to include volunteers, certification by the Chief of Police, and granting authority to issue parking citations.

RECOMMENDED ACTION: MOVE to adopt Ordinance No. 4850-1307.

- K. Legislative Update

RECOMMENDED ACTION: Council can discuss and provide direction. No formal action will be taken.

III. ADJOURNMENT

EXECUTIVE SESSION

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (ii) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (iii) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (iv) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. §38-431.03(A)(4));
- (v) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));
- (vi) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (vii) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

Confidentiality

Arizona statute precludes any person receiving executive session information from disclosing that information except as allowed by law. A.R.S. §38-431.03(F). Each violation of this statute is subject to a civil penalty not to exceed \$500, plus court costs and attorneys' fees. This penalty is assessed against the person who violates this statute or who knowingly aids, agrees to aid or attempts to aid another person in violating this article. The city is precluded from expending any public monies to employ or retain legal counsel to provide legal services or representation to the public body or any of its officers in any legal action commenced for violation of the statute unless City Council takes a legal action at a properly noticed open meeting to approve of such expenditures prior to incurring any such obligation or indebtedness. A.R.S. §38-431.07(A)(B).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on _____ at _____ m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Lynn Mulhall, MMC, City Clerk