

PRESCOTT CITY COUNCIL
CAUCUS
TUESDAY, FEBRUARY 19, 2013
PRESCOTT, ARIZONA

MINUTES OF THE CAUCUS OF THE PRESCOTT CITY COUNCIL HELD ON FEBRUARY 19, 2013, 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 1:00 P.M.

◆ **ROLL CALL**

Present:

Absent:

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

I. DISCUSSION ITEMS

City Manager, Craig McConnell, explained the new meeting type. Mr. McConnell said Council has thought about having an informal setting to allow for the opportunity to discuss topics more informally, and which may result in subsequent agendas. This format is for Council discussion and the Council can call upon staff and/or invite someone from the community with knowledge of the subject to join them at the table. This is not a workshop or voting meeting and not for public comments. It is the time for Council discussion. Councilmember's will take the lead on these items, all of which have been requested by Council.

Mr. Paladini said the items are broad so discussion is within the general parameters. Council may give direction to Staff for follow-up.

A. Government Access Television; discussion regarding current Channel 13 programming and utilization of Channel 15.

Councilman Kuknyo introduced this item. He is proposing to have Channel 15 run for a continuous loop 24-hours a day. This will include areas of interest to tourists as well as citizens and there would be a calendar of events. Channel 15 has been available for decades but we have not used it, Councilman Kuknyo reported. There has been some discussion of putting our public meetings on Channel 15; however Channel 13 is doing

a good job doing that at this time. There would be a zero cost to the City. He put together a sample reel, which was shown to Council to better demonstrate his thoughts.

“Live + Work + Play”. We already have this video and several other video components that would comprise the 60 minute rolling video. The information would be updated each Monday morning and would include weekly events as well as monthly events.

The video will reemphasize our branding and will help advertise that the City of Prescott is a year round destination.

Councilmember’s liked the idea and acknowledged the benefit to residents.

Councilman Arnold said the contract with Channel 13 does provide this service. Ultimately the hotels will grow with it. He said he would like to see this happen. Channel 15 is working in some of the hotel rooms now and Channel 13 is in a position to help us.

Paul, from Channel 13, said they air a public portion of Prescott Valley on 13. The Channel 15 in Prescott Valley is independent.

Mr. McConnell explained the City’s agreement with access 13/15. Does the council want to keep the public meetings on 13 and then use 15 along the lines of this proposal?

Councilman Blair suggested leaving the community meetings on Channel 13 and use this information in a loop. Maybe we could sell six second advertisements to offset the costs of the video.

Mr. Paladini explained that 13 is the access Channel and 15 is the government Channel. We cannot sell advertising on the government Channel. When the government creates a public forum we must be careful how it is structured. There are other options, such as selling sponsorships. We would have to have a set of strict rules. We can use 13 to sell commercials.

Mayor Kuykendall suggested a couple of Councilmen, the City Manager and his staff work with Channel 13. Mr. McConnell said this will be put on a Workshop agenda and some hotel operators will be invited to come to the meeting.

DIRECTION: (1) Council agreed Channel 15 should be pursued; (2) Councilman Arnold and Councilman Kuknyo were asked to work with the City Manager; (3) The meeting will be scheduled for a future Workshop.

B. Granite Street Parking Garage - entry/exit layout, security, fee days and downtown employee parking

Councilman Arnold introduced the item. He and Councilman Kuknyo recently participated in a meeting with shop owners on Whiskey Row. He is most concerned

with entrance, fees, and requirements on fee days. On weekends a security guard is brought in. One major concern relates to the ingress and egress: three lanes in and out of garage; middle lane is for both. It is fairly narrow and it is easy to hit your vehicle on the concrete. He is suggesting a reconfiguration of the entrance; have a wider island creating a wider lane. Councilman Arnold said he thinks a realignment can be done and can be done prior to our busy season.

Mr. McConnell introduced Mic Fenech, Facilities Manager, who explained the three lane entrance. Lanes were designed to be narrow and placed where they are to allow for future consideration for automated ticket arms. He said changes can be made.

Councilman Arnold asked if the garage needs to stay a free garage or should it be a fee garage?

Councilman Lamerson said at some point the intent was to have a fee parking garage. Mr. McConnell said if we go to fee parking, he sees using a kiosk with no attendant.

Councilman Arnold agrees with having a kiosk. Changing the configuration will make the garage more user friendly and would clear up some confusion. Mayor Kuykendall suggested to look at the parking program and involve the Chamber of Commerce and the merchant groups. Councilman Kuknyo pointed out there is quite a bit of litter in the garage.

Mr. Fenech said the garage is cleaned five days a week most of the year. In non-peak season winter it is cleaned on Monday and Friday only.

Councilman Lamerson said it is time to study this and discuss some form of parking policy. Mr. Fenech said the City charges \$5 for general public and \$2 for employees and there are 13 leased spaces.

Mayor Kuykendall reported he has had more complaints about downtown parking tickets over the last three months. Price is one concern and we still have a problem with people reading the signs. Getting a \$33 ticket is a problem. If the Council is willing, we can have more discussion and involve interested downtown people.

Mr. McConnell said parking kiosks are expensive. It can be done on the perimeter of the courthouse plaza. Councilman Blair said he likes the idea of having kiosks. Councilman Lamerson said we don't want to discourage people from coming downtown. We need to look at what we can and cannot do.

Councilman Arnold said we have a window of time to make the change at the entrance. We should not hold up that change because of the fees. He hears a lot about safety and security issues. We are paying a security guard in the garage. What can we do to improve safety and security in our parking garage? People need to feel safe.

Mayor Kuykendall suggested having a small group put together some information and then come back to a Council workshop. Councilman Blair said he would like to

separate them and take care of the ingress and egress. We can do this in-house.

DIRECTION: (1) Mr. McConnell will take care of the ingress and egress; (2) The fees and security will come back to a workshop; (3) Mayor Kuykendall designated Councilmember's Arnold and Blair to work together to identify the problems.

C. Rehab Centers - continuation of discussion re legal framework, communication with facility operators, community organizations, and other stakeholders; next steps

Councilman Arnold introduced the item. At the last Council workshop, Council discussed rehab centers, which included a presentation by the Legal Department. The group that was asked to look into this is ready to make a presentation. He was waiting for the City Attorney to come on board. We have a different understanding of where we stand as a city. Before the stakeholder meeting we need the Council and public to know where we can go. Councilman Arnold said he is getting more phone calls than ever before.

Councilman Blair asked what the law states about providing housing for people. What is the definition of "related"?

City Attorney Paladini explained the differences in uses: 1) Residential use and what authority does the City have to define family; 2) Group homes, which are residential facilities for a specific type of community; and 3) Rehab or treatment center. The three are regulated in three different ways.

What is the City's police power to define how many people can live in a single residential unit before you exceed the limit? The City of Prescott now allows for up to 8 living together – no relation. The law is established. The law gives the authority to the city to protect neighborhoods. This is a policy decision. Mr. Paladini pointed out:

- A Rehab Center can be regulated more in the commercial route. It is a business and not residents in the traditional sense.
- They can be limited in particular zoning categories. The concept is you are doing more than residing. You are getting treatment and services.
- In the middle is a group home. But, it depends on the type of group home. Bottom line is certain number that City can limit and must still allow in single family residential zoning.
- The City can require buffer zones between each.
- City has authority to adopt a buffer to avoid clustering. There is an impact on neighborhoods. Any new group home would have to meet any adopted guidelines. We will have to do a study and or analysis to study the impact of group homes and make a recommendation as relates to the buffer.

Current members of the Land Development Board will look at this.

Councilman Blair gave an example of people who can't make their mortgage and have 12 unrelated people living in the house, paying \$1,000 a month, and calling it a group home.

Tom Guice provided some history.

Councilman Arnold said the intent is to have a buffer. City of Glendale has not been sued and they have a buffer. We have a City Attorney who is knowledgeable about this and can help us. We need to move forward, in March, and he would like to come back in a workshop after we meet with the stakeholders. What we knew is different than what we know now. Councilman Blair said there are separate issues with separate guidelines in the Development Code.

Councilman Lamerson wants to make sure that Community Development and Legal are on the same page. They need to both agree on the definition of disability.

Mr. Paladini said any discussion on buffer zones requires a specific purpose. There is a process to go through to analyze it. Once you have the basis then you determine if you want to impose that kind of regulation.

Council discussed how to determine when the home becomes a rental unit subject to restrictions.

Mr. Paladini said the group home is the residential component. The types of services are supposed to be limited because it is a residential facility. It may fall into a tax code category.

Mr. Guice said the majority of places are renting rooms in which case the owner would be paying the renter tax.

Councilmember Scamardo said it is about related relatives and unrelated. The problem is there are people with similar disabilities living in the home. It is the untreated disability group that is causing concerns. When it is drug or alcohol or abuse related then everyone gets in an uproar.

Councilman Lamerson said disabled are protected. Mr. Paladini said drug users don't get the same protection. Group homes for registered sex offenders are protected.

Mr. Paladini said if there is group counseling in the home it would be hard to regulate. Medical type treatments and physical therapy treatments are the kinds of things that generate traffic.

Councilman Arnold said we will move forward with the stakeholders group and let staff put together a list of things that can and cannot be done and then come back to a workshop with the stakeholders and discuss. He has already gotten calls from people wanting to get involved in this process. The media has promoted the meeting to take place. People related to that industry are willing to get together to discuss.

Mayor Kuykendall said we have a responsibility to this community.

- We need to learn more about the situations.
- We need to go to the next step.
- We need to identify the people who are doing business here.
- The challenge is do we want an informal task force or a committee?

Councilman Lamerson said he would work on this and get as much information as we can get. Councilman Scamardo said that is why it is important to bring the stakeholders in and listen to them.

DIRECTION: Councilmen Carlow, Lamerson, and Arnold will be the group to work on this.

II. REPORTS

A. Legislative Update

Mel Preston, Communications and Public Affairs Manager, gave an update.

III. IDENTIFICATION OF ITEMS FOR FUTURE CAUCUS MEETINGS

- A. Airport - vision/strategies, area economic development focus, facilities, and operations (March 19, 2013)
- B. Council Identified Items

IV. ADJOURNMENT

There being no further business to be discussed, the Prescott City Council Caucus of February 19, 2013, adjourned at 3:13 P.M.

MARLIN D. KUYKENDALL, Mayor

ATTEST:

LYNN MULHALL, City Clerk