

PRESCOTT CITY COUNCIL
WORKSHOP
TUESDAY, MARCH 5, 2013
PRESCOTT, ARIZONA

MINUTES OF THE WORKSHOP OF THE PRESCOTT CITY COUNCIL HELD ON MARCH 5, 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 3:00 P.M.

◆ **INVOCATION** Pastor Dean Wilfong, Church on the Street in Prescott

◆ **PLEDGE OF ALLEGIANCE** Councilman Kuknyo

◆ **ROLL CALL**

Present:

Absent:

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

None

City Manager, McConnell introduced the new Police Chief, Jerald Monahan.

I. PROCLAMATIONS

A. "March for Meals on Wheels Month"

Councilman Carlow read the proclamation and presented it to Pam Hanno, Director; Dave Marston, Treasurer; Bob Painter and Captain James McInerney, Arizona Rangers.

B. "Arizona Gives Day – March 20, 2013"

Councilman Scamardo read the proclamation and presented it to Diana Marczak, Mayer Elder's Club; Tina Blake, West Yavapai Guidance Clinic Foundation; Greg Hull, Prescott Alternative Transportation; Tracey McConnell, Yavapai County Community Foundation; Kathleen Gillis, Boys and Girls Club; Brian Tomason, Boys to Men; and Bob Painter, Prescott Meals on Wheels.

II. PRESENTATIONS

A. Prescott Chamber of Commerce - Introduction of New Businesses

Erin Cromwell, Membership Director for the Prescott Chamber of Commerce, announced the following new members: Delta Plus Hardwood Floors, Juice Plus and Whole Foods, Lindy Gaskill Design, and V-Ride Transportation.

B. Peter Gordon – Upcoming Arizona Wildfire Academy

Mr. Gorgon was not in attendance.

C. Daniel Mattson – Election Timing

Mr. Mattson, Prescott resident, addressed the election and how it relates to the change in state law. Mr. Mattson asked to have a discussion about the length of term. He made the request to put the item on a Council agenda for possible action.

Councilman Blair said if we have an election in 2013 we will be forced to have one in 2014, forcing the citizens to pay for two elections. He asked if it would make sense to extend the current Council to 2014, eliminating the need for an election in 2013 and saving the taxpayers money.

Mr. Mattson said he does not know if it is practical to stop the 2013 election at this time. He feels it should be on a voting agenda allowing for public participation. There are already people filing their organizational paperwork.

Councilman Arnold said we have had two Executive Sessions related to this because it is very complex. He noted that his term could become three or five years. He said that it was a discussion that would have to happen sooner than later and he would like the public to be involved.

Mr. Mattson said that he would rather shorten the terms and get it over with. If we lengthened the terms there would be a three year period with no election.

Councilman Arnold said his belief is that the decision made is based on state law and our Charter.

Councilman Lamerson said the state has been remiss. He said that whatever the Council decides to do, could be eradicated when the decision comes in from Tucson. He asked the City Attorney if all the information was in so the Council knew where to go. Mr. Paladini said no, it is possible the lawsuit will not be resolved a year from now. He said a pending bill would allow cities to change election dates to comport with the statute without going to a charter vote, which would require a vote of the public. That bill would not take effect until 90 days after the end of the legislative session.

Mayor Kuykendall said the petition has language stating there will be an election on August 27th. He asked if there is a change, would all the signatures still be valid. Mr. Paladini said if there is a change then the signatures are moot. He noted you have to do things consistently; you cannot shorten one set of terms and lengthen another. If the election is held in August, everything is fine. The question is if the person is running for a three year term or a four year term. He said it does not affect the voting.

Mr. Paladini said if the City chooses not to have the election in August by way of resolution or ordinance; candidates have to start over with signatures in 2014. He said the candidates can maintain the campaign committee and funds in their accounts for the following year.

Mr. Paladini said if the election is canceled for some reason the current Council stays in place until a new council is elected and qualified.

Councilman Lamerson said we all took an oath of office. The Charter includes language that prevents shortening the terms but nothing about lengthening terms. The State Constitution gives conduct of elections, specifically to local municipalities, so the government closest to the people could serve the people best.

Mr. Mattson said people are expecting the August election. Things can be straightened out by 2016 or 2018. There are two ways of doing it and both require an election in 2013. Council needs to have the conversation. When people cast their ballot, voters should know if they are voting for three or five year terms.

Councilman Arnold said the City is under no obligation to modify the 2013 election. We have a year to actually figure out what to do. If we give in to the state right now, then we are further eroding what Charter Cities were given the right to do. He would rather have the state leave Charter cities alone.

Sandra Smith, Prescott resident, said it seemed that the terms had to be lengthened since the Charter said they could not reduce the terms. Mr. Paladini read the language in the Charter, which dealt with Council members elected, not the Mayor elected, in Section 4 Article 2. He said that he read the terminology “present” to apply to the Council in place at the time the Charter was adopted. He said the lengthening or shortening of terms is available.

Council directed staff to add this item to the Council agenda for March 12, 2013.

III. DISCUSSION AND ACTION ITEMS

- A. Letter of Support to ADOT for State Route 89 Widening Project (SR 89A to Deep Well Ranch Road)

Mr. McConnell said due to lack of funding, Phase II of SR89 Widening is facing elimination for the Arizona Department of Transportation 5-year construction program.

Unless it is placed in the program, that project will go away. The letter in the packet advocates restoration of the project in the 5-year plan from fiscal years 2014-2018. If the Council authorizes the signature, it would be hand carried to the State Transportation Board public hearing at the end of the week by Chris Bridges of Central Yavapai Metropolitan Planning Organization. Mr. McConnell recommended that the Council view the project as crucial to traffic circulation within the airport area.

The letter also comments on some associated matters with respect to Willow Creek Road. Today is not the time or place to deal with alternatives to Willow Creek Road. The strategy would be to communicate with the state that the City wants the projects within the State Transportation Program.

Councilman Kuknyo said there are three entities involved in this: the City of Prescott, Yavapai County, and the State of Arizona. He said they were all working together on the project to come to consensus.

Councilman Arnold said this is a major issue to the City. He asked if there would be a benefit to have the entire Council sign the letter. Mayor Kuykendall supported the proposal as did the Council.

COUNCILMAN ARNOLD MOVED TO AUTHORIZE THE MAYOR AND COUNCIL TO SIGN THE LETTER OF SUPPORT TO ADOT FOR THE STATE ROUTE 89 WIDENING PROJECT; SECONDED BY COUNCILMAN KUKNYO; PASSED UNANIMOUSLY.

B. Solid Waste Recycling Program

Councilman Kuknyo recused himself due to a potential conflict of interest and left the dais at 3:56 P.M.

Stephanie Miller, Field and Facilities Services Director, presented. The City's current contract expires on June 30, 2013. The City's recycling program was established over 15 years ago. The materials were separated at the source and dropped off locally. Glass recycling was discontinued on September 1, 2010, due to a lack of market demand and cost. We have many people in our community who would like to recycle glass. Our current contract considers glass to be a contaminant in the recycling stream.

She noted that Strategic Materials was now opened in Phoenix and they are a glass recycler. She said staff is looking at opportunities to maximize their revenue through the recycling business. The City currently has a contract with Fann that would allow them to transport recyclables to Phoenix or other destinations.

Councilman Arnold asked the City Attorney if he has a conflict of interest due to his relationship with Fann Contracting. Mr. Paladini said for discussion purposes, Councilman Arnold does not have a conflict of interest.

Ms. Miller discussed the four options to recycle glass as relates to cost, ease for our residents, convenience, and revenue generated. The option being recommended would allow glass recycling in the current blue container, co-mingled with other residential recyclables.

1. Residential customers would be allowed to include glass in their current recycle container.
2. Containers and material would be picked up and processed with current routes and vehicles.
3. Would require the City of Prescott to find a location to process co-mingled recyclables.
4. Offsetting/ additional revenue generated.
5. Most convenient for residents.

The next steps include entering into an Inter-Governmental Agreement with the City of Phoenix to accept our recyclable materials. This would come to Council for action. Ms. Miller said staff will educate and inform citizens about the change and implement July 1, 2013.

Councilman Kuknyo returned to the dais at 4:15 P.M.

IV. REPORTS

A. Board/Commission Liaison Reports

Councilman Blair

- Attended a planning session to discuss the Water Advisory Committee (WAC). The Verde Valley water issues are different from the City of Prescott's issues. The City of Prescott is a water provider and also an Active Management Area and falls under different state regulations than the Verde Valley. They will meet Thursday to discuss the future of the WAC and the Technical Advisory Board (TAC).

Councilman Scamardo

- General Plan has gone through the committee process. It is now at staff review and will work through the public meetings. The General Plan will probably not make the 2013 election.

Councilman Arnold

- The Advisory and Appeals board is meeting to finalize recommendations for building codes.

- Parking garage was discussed at the Caucus and the staff took a look at the garage to discuss ingress/egress options. It had been blue staked with a proposal submitted.
- Met with Whiskey Row Association with Councilman Kuknyo and a good number of business representatives. Out of that meeting a list of comments and questions were raised and they are getting answers before the next meeting. As the group forms and legitimizes itself, they asked if the Council would appoint a liaison to the group. That discussion will come to Council. They are working towards a partnership with the Prescott Downtown Partnership (PDP) and are working on communicating better with each other.
- Rehab homes and half-way houses with three Council members and staff have a meeting scheduled for next Wednesday, followed by an announcement for the date of the stakeholder meeting.

Councilman Lamerson

- Has been working on PAD subdivision near Lynx Lake called Cloudstone
- United Development Code will be meeting on some issues
- Impact fees – in process of identifying

Councilman Kuknyo

- PDP doing business inventory. Kiosk maps will be updated.
- Acker Trust applications are in. They will decide who will get money at the next meeting.
- Central Yavapai Metropolitan Planning Organization said there should be four lanes coming out of Chino Valley in the Spring. They are trying to stop the bottleneck at Ruger Road and are trying to find money for Highway 69.
- Visitors from Zeitz, Germany are in town.
- Yavpe Road is the original name of the Tribe. He reported the speed limit is 25mph on that road.

Councilman Carlow

- Community Development Block Grant (CDBG) - there would be roughly \$220,000.000 to grant this year with a public meeting scheduled for March 26, 2013. The item will come to Council April 9, 2013.

- Hospital Board of electors met last night and elected the final board member. The new member's name has not yet been made public.
- Fire Board of Appeals met with the Yavapai County Contractors Association and went over fire code changes. Public meetings will be March 6, 13 and 27 to discuss the codes. There will be a Fire Board of Appeals meeting on March 8, 2013, to present the Fire Code changes to the Board of Appeals. He said they will be making modifications to the commercial codes but not residential at this time.
- Northern Arizona Council of Governments developed a four year plan from the surveys they gave out. They are working on their Care Transition Program with Yavapai Regional Medical Center to help the post-discharge patients who do not have case management support. Head Start will work with the same amount of money as last year. He asked anyone in business, especially light manufacturing/engineering, medical services, or renewable energy to participate and contact him.

Mayor Kuykendall

- The owner of Albertsons Center was in town and reported that currently there is only one vacancy in the center. He wanted to know what he could do to become "downtown", which the North Cortez merchants also ask.

Councilman Scamardo said that there were codes indicating that downtown stretched to Marina and the North side of Sheldon. He said they usually talk about downtown as being the Historic District.

Mayor Kuykendall said that most of the money the City uses to advertise their tourist opportunities comes from two hotels downtown that put money in that pot. The majority of the money comes from outside the downtown area. He said they need a better understanding of where the money comes from and where it is spent and what they can do to broaden the base.

Councilman Kuknyo said that more events were going to move off the square and move to the Watson Lake area.

B. Legislative Update

Mel Preston, Communications & Public Affairs Manager, gave an update of status of current bills.

V. ADJOURNMENT

There being no further business to be discussed, the Prescott City Council Workshop of March 5, 2013, adjourned at 4:47 P.M.

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 5th day of March, 2013. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2013.

AFFIX
CITY SEAL

LYNN MULHALL, City Clerk