



# CITY COUNCIL MEETING

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## VOTING MEETING AGENDA

**TUESDAY, SEPTEMBER 12, 2017, 3:00 PM**

Council Chambers, 201 South Cortez Street

Prescott AZ 86303

(928) 777-1100

Harry Oberg, Mayor

Jim Lamerson, Mayor Pro Tem

Steve Blair, Councilman

Greg Lazzell, Councilman

Billie Orr, Councilwoman

Steve Sischka, Councilman

Jean Wilcox, Councilwoman

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

**1. CALL TO ORDER**

**2. INTRODUCTIONS**

**3. INVOCATION**

Father Ralph with Sacred Heart

**4. PLEDGE OF ALLEGIANCE**

Councilman Sischka

**5. ROLL CALL**

**6. ANNOUNCEMENTS**

**7. PROCLAMATIONS**

**A. Proclaiming September 15, 2017 as National POW/MIA Recognition Day**

**B. Proclaiming September 21, 2017 as International Day of Peace**

**C. Proclaiming September 17-23, 2017 as Constitution Week**

**8. PRESENTATIONS-None**

**9. CONSENT AGENDA**

***Items listed on the Consent Agenda may be enacted by one motion and one vote. If discussion is required by members of the governing body, the item will be removed from the Consent Agenda and will be considered separately.***

- A. Approval of draft minutes for the June 15, 2017 Budget Workshop, the June 15, 2017 Special Voting Meeting and the June 27, 2017 Voting Meeting.
- B. Approval of the Official Canvass of the City of Prescott Primary Election held on August 29, 2017.
- C. Award of City Contract No. 2018-049 to Rotational Molding Inc. for supply of 300 gallon containers and lids in a total amount not to exceed \$30,000.00. Funding is available in the Solid Waste Fund.
- D. Award of City Contract No. 2018-052 to the Arizona Department of Environmental Quality for the Wastewater Treatment Aquifer Protection Permit annual renewal in a total amount not to exceed \$12,000.00. Funds are available in the Sewer Fund.
- E. Award of City Contract No. 2018-053 to the Arizona State Land Department for a water line easement rental in a total amount not to exceed \$14,500.00. Funding is available in the Water Fund.
- F. Adoption of Resolution No. 4401-1610 approving submittal of Grant requests to the Tohono O’odham Nation; Gila River Indian Community; Pascua Yaqui Tribe; and the Fort McDowell Yavapai Nation on behalf of the Arizona Wildfire and Incident Management Academy.

RESOLUTION 4401-1610 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE CITY OF PRESCOTT TO ENTER INTO A GRANT-IN-AID FINANCIAL AGREEMENTS ON BEHALF OF THE ARIZONA WILDFIRE AND INCIDENT MANAGEMENT ACADEMY WITH THE TOHONO O’ODHAM NATION, THE GILA RIVER INDIAN COMMUNITY, THE PASCUA YAQUI TRIBE, AND THE FORT MCDOWELL YAVAPAI NATION, AND ACCEPTANCE OF SAID GRANT(S), IF AWARDED, FOR GENERAL OPERATING EXPENSES FOR THE ARIZONA WILDFIRE ACADEMY AT ERAU AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

- G. Award of City Contract No. 2018-050 for Coalition for Compassion and Justice, Funded Under Project Number CDBG PY16-002. The project was approved by City Council as a part of the 2016 Annual Action Plan in the amount of \$14,080.70.

- H. Approval of City Contract No. 2018-051 for the Purchase of one hundred and thirty (130) 2018 E-Z-GO Elite Golf Parts and Accessories for a total of \$698,212.45, with trade-in of the current carts for an estimated \$182,000.00 for an anticipated net cost of \$516,212.45 from E-Z-GO using National IPA Contract No. R161101. Funding for this purchase will be part of the internal loan arrangement between the Golf Course and the General Fund.
- I. Adoption of Resolution No. 4402-1611 approving an amended joint funding agreement with the United States Geological Survey (USGS), for geochemical data collection within the Big Chino Sub-Basin (City Contract No. 2017-143A1).

RESOLUTION 4402-1611 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, TO APPROVE AN AMENDMENT OF CITY CONTRACT NO. 2017-143 AND AUTHORIZING THE MAYOR AND STAFF TO RESOLUTION 4402-1611 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, TO APPROVE AN AMENDMENT OF CITY CONTRACT NO. 2017-143 AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.

***Recommended Action: MOVE to approve Consent Agenda Items 9.A. through 9.I.***

## 10. LIQUOR LICENSE AGENDA

### A. NEW LICENSES

- 1. Public Hearing and consideration for a new liquor license application for a Series 18 Craft Distiller liquor license from Scott Alan Whitney, applicant, for Hometown Brewing Company DBA Coppertop Still Works; Location: 220 SW Montezuma Street Unit B.

***Recommended Action: (1) MOVE to close the Public Hearing; (2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 18133003 for a new Series 18 Craft Distiller liquor license, for Hometown Brewing Company DBA Coppertop Still Works; Location: 220 SW Montezuma Street Unit B.***

- 2. Public Hearing and consideration for an Acquisition of Control for a Series 3 Microbrewery liquor license from Scott Alan Whitney, applicant for Hometown Brewing Company DBA Coppertop Alehouse; Location: 220 S. Montezuma Street.

***Recommended Action: 1) MOVE to close the Public Hearing; (2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 03133025 for an Acquisition of Control for a Series 3***

*Microbrewery liquor license, for Hometown Brewing Company DBA Coppertop Alehouse; Location: 220 S. Montezuma Street.*

3. Public Hearing and consideration for a new liquor license application for a Series 10 Beer & Wine liquor license from Kim Kenneth Kwiatkowski, applicant, for Circle K Store Inc., DBA Circle K Store #9525 Location: 940 Willow Creek Road.

***Recommended Action: 1) MOVE to close the Public Hearing; (2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 10133318 for a new Series 10 Beer & Wine liquor license, for Circle K Store Inc. DBA Circle K Store #9525; Location: 940 Willow Creek Road.***

4. Approval of a Series 16W Fair/Festival Liquor License Application for Superstition Meadery, LLC, located at Grand Highland Hotel 150 S. Montezuma Street; Applicant: Jennifer Herbert; City Application No. 17-075S; Date/Time of Event Liquor Sales: Saturday, November 11, 2017, 10:00 a.m. to 7:00 p.m.

***Recommended Action: MOVE to forward Farm Winery Fair/Festival License Application No. 17-075S to the Arizona State Liquor Board with a recommendation of approval/denial.***

## **B. SPECIAL EVENTS**

1. Approval of a Series 15 Special Event Liquor License Application for Prescott Animal Park Association; Event Location: Heritage Park Zoological Sanctuary, 1403 Heritage Park Road; Applicant: Martha Brogan Chavez; City Application No. 17-070S; Date/Time of Event Liquor Sales: Sunday, October 1, 2017, 2:00 p.m. to 6:30 p.m.
2. Approval of a Series 15 Special Event Liquor License Application for Prescott Meals on Wheels; Event Location: Cortez (from Union to Goodwin) and Goodwin from (Cortez to Montezuma); Applicant: Tina Blake; City Application No. 17-074S; Date/Time of Event Liquor Sales: Saturday, October 21, 2017, 11:00 a.m. to 3:00 p.m.

***Recommended Action: MOVE to forward special event liquor license applications 10.A.1 and 10.A.2. to the Arizona State Liquor Board with a recommendation of approval/denial.***

## **11. REGULAR AGENDA**

- A. Approval of surplus auction with Harris Auction utilizing City Contract No. 2017-256 for sale of ten (10) surplus assets listed in Attachment A. Auction estimate is \$28,000.

***Recommended Action: MOVE to approve surplus auction with Harris Auction, utilizing City Contract No. 2017-256.***

- B. Approval of Purchase of One (1) Ea. 2018 Weiler P385A from Empire CAT Using City of Tucson Contract No. 120377 Pricing, in the Total Amount of \$203,124.43 (City Contract No. 2018-054). Funding is available in the Street Maintenance Fund.

**Recommended Action: MOVE to approve City Contract No. 2018-054 with Empire CAT in the total amount of \$203,124.43.**

- C. Approval of City Contract No. 2018-055 with Lyon Engineering, for Design Services for the Airport Trunk Main Phase 2 Project, in the Amount of \$490,830.00. Funding is available in the Wastewater Fund.

**Recommended Action: MOVE to approve City Contract No. 2018-055 with Lyon Engineering, in the amount of \$490,830.00.**

- D. Adoption of Ordinance No. 5046-1586 to set a speed limit of fifteen miles per hour (15 MPH) in City-owned alleys. The cost of the speed limit signs assuming 2 per alley segment (in alleys owned by the City) is estimated to be \$43,095.00.

ORDINANCE 5406-1586 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE IX, CHAPTER 9-1 ("PRESCOTT TRAFFIC CODE"), SECTION 9-1-16 ("MISCELLANEOUS ENFORCEMENT RULES") OF THE PRESCOTT CITY CODE BY ADDING A NEW SUBSECTION 9-1-16(J) SETTING A SPEED LIMIT OF FIFTEEN MILES PER HOUR IN CITY ALLEYS; ADDING A SEVERANCE CLAUSE; AND PROVIDING FOR PENALTIES.

**Recommended Action: MOVE to adopt Ordinance No. 5046-1586.**

- E. Approval of Payments to PSPRS from General Fund Unassigned Fund Balance and the proceeds from the sale of the Hotshot buggies.

**Recommended Action: MOVE to: 1) Approve the payment of \$11 million from the General Fund unassigned fund balance to PSPRS; and 2) Approve the payment of \$25,000 from the sale of the Hotshot buggies to the PSPRS Fire trust.**

- F. Acknowledge and approve an Annual \$2,500.00 Military Appreciation Bonus to active City Military Personnel, to be evaluated every budget year.

**Recommended Action: MOVE to acknowledge and approve an annual \$2,500.00 Military Appreciation Bonus to active City military personnel; to be evaluated every budget year.**

## 12. 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:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) 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));
- (5) 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));
- (6) 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));
- (7) 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)).

THE CITY OF PRESCOTT ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48 hours advanced notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (928) 777-1272 to request an accommodation to participate in this public meeting. Prescott TDD number is (928) 445-6811. Additionally, free public relay service is available from Arizona Relay Service at 1-800-367-8939 and more information at [www.azrelay.org](http://www.azrelay.org)

#### 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

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Maureen Scott, MMC, City Clerk