



# CITY COUNCIL MEETING

---

## VOTING MEETING AGENDA

**TUESDAY, FEBRUARY 11, 2020, 3:00 PM**

Council Chambers, 201 South Cortez Street

Prescott AZ 86303

(928) 777-1272

Greg Mengarelli, Mayor

Billie Orr, Mayor Pro Tem

Steve Blair, Councilman

Phil Goode, Councilman

Cathey Rusing, Councilmember

Alexa Scholl, Councilwoman

Steve Sischka, Councilman

---

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/ANNOUNCEMENTS**

**3. INVOCATION**

Pastor Andrew Gutierrez with Canyon Bible Church

**4. PLEDGE OF ALLEGIANCE**

Councilmember Rusing

**5. ROLL CALL**

**6. PROCLAMATIONS**

A. 100th Anniversary of the League of Women Voters - February 14th

**7. 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 Minutes for the 9:30 a.m. January 28, 2020 Special Meeting/Executive Session, the 1:00 p.m. January 28, 2020 Special Meeting/Executive Session, the January 28, 2020 Study Session and the January 28, 2020 Voting Meeting.
- B. Approval to Perform Night Work Between 7:00 p.m. and 6:00 a.m. Sunday through Thursday, for the Installation of New Water, Sewer, Storm Drain and Other Associated Improvements on the Summit Avenue, McCormick Street, Beach Avenue and Goodwin Street Improvement Project.
- C. Approval of City Contract No. 2020-156 for the Purchase of Michelin Tires in the Annual Estimated Amount of \$50,000 Utilizing the City of Mesa's Contract No. 2019209. Funding is Available in the Fleet Maintenance Budget.
- D. Award of City Contract No. 2020-151 to James Holt LLC, for Specialized Technical Support on Comprehensive Agreement No. 1 (CA#1) Regarding Big Chino Water Ranch, in an Amount Not to Exceed \$100,000.00 Annually. Funding is Available in the Water Fund.  
***Recommended Action: MOVE to approve Consent Agenda Items 7.A. through 7.D.***

## 8. CONSENT ORDINANCE

- A. Adoption of Ordinance No. 2020-1709 Amending Title IV, Chapter 4-4 Related to Peddler and Solicitors  
**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AMENDING TITLE IV, CHAPTER 4-4 (PEDDLERS AND SOLICITORS), SECTIONS 4-4-4, 4-4-6, 4-4-7, 4-4-11, AND 4-4-13; AND ADDING SEVERANCE AND PENALTY PROVISIONS.**
- B. Adoption of Ordinance No. 2020-1707 Authorizing the Sale of Real Property and Granting of a Temporary Construction Easement, to the State of Arizona Department of Transportation, for the Road 1 North and SR 89 Roadway Project.  
**ADOPT ORDINANCE NO. 2020-2017 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE SALE OF CITY REAL PROPERTY AND GRANT A TEMPORARY CONSTRUCTION EASEMENT TO THE STATE OF ARIZONA AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID SALE AND GRANTING OF EASEMENT.**
- C. Adoption of Ordinance No. 2020-1708 Authorizing Abandonment of the Easement as Recorded in Book 503 Pages 274-276 in the Office of the Yavapai County Recorder, Yavapai County, Arizona.  
**ADOPT ORDINANCE NO. 2020-1708 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF THE EASEMENT RECORDED IN BOOK 503 PAGES 274-276 IN THE OFFICE OF THE YAVAPAI COUNTY RECORDER, YAVAPAI COUNTY, ARIZONA AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ABANDONMENT OF EASEMENT.**

***Recommended Action: MOVE to adopt Consent Ordinance Items 8.A. through 8.C.***

## 9. LIQUOR LICENSE AGENDA

### A. NEW LICENSES

1. Public Hearing and Consideration for a New Series 14 Club Liquor License Application from Edward Lee Kellerman, Applicant, for Phippen Museum; Location: 4701 Highway 89 North.

***Recommended Action: 1) MOVE to close the Public Hearing; and 2) MOVE to approve/deny/make no recommendation for Liquor License Application No. 90431 for a new Series 14 Club liquor license, for Phippen Museum; Location: 4701 Highway 89 North.***

## 10. REGULAR AGENDA

- A. Adoption of Resolution No. 2020-1734 Supporting the Second Amendment of the Constitution of the United States and Declaring the City of Prescott a "Second Amendment Sanctuary City"

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, SUPPORTING THE SECOND AMENDMENT TO THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 26 OF THE CONSTITUTION OF THE STATE OF ARIZONA, AND DECLARING THE CITY OF PRESCOTT A "SECOND AMENDMENT SANCTUARY CITY"; AND AUTHORIZING THE MAYOR AND STAFF TO TAKE ANY AND ALL STEPS NECESSARY TO ACCOMPLISH THE ABOVE.**

***Recommended Action: MOVE to adopt Resolution No. 2020-1734.***

- B. Legislative Update.

***Recommended Action: This item is for presentation only. No formal action will be taken.***

- C. Approval of Water Service Agreement Application No. WSA20-001 by Alexander Lazar Representing Ocean Blue Willow Creek LLC, for Commercial Water Supplies on APNs 106-20-497 and 106-20-498.

***Recommended Action: MOVE to approve Water Service Agreement Application No. WSA20-001.***

- D. Approval of PLN19-020 a Proposed Rezoning of 600 and 621 E. Rosser Street (APN 105-03-007B) from its current Single Family 35 (SF-35) Designation to Multi-Family Medium Density (MF-M). Property Owner: Pine Creek Leasing LLC. Applicant/Agent: Keith Hughes

***Recommended Action: Move to approve PLN19-020, the rezoning of 600 and 621 E. Rosser Street from Single Family 35 (SF-35) to Multi-Family Medium Density (MF-M).***

- E. Approval of SIG19-006. a Comprehensive Sign Plan for The Burmister 120 W. Gurley Street (APN 115-15-115). Property Owner: Zee Zee LLC.; Applicant: Morgan Sign Co. (Stephan Markov).

***Recommended Action: MOVE to approve SIG19-006, a  
Comprehensive Sign Plan for The Burmister.***

**11. 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 72 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

\_\_\_\_\_  
Sarah M. Siep, City Clerk