



CITY COUNCIL MEETING

VOTING MEETING MINUTES

TUESDAY, AUGUST 27, 2019, 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

Jim Lamerson, Councilman

Alexa Scholl, Councilwoman

Steve Sischka, Councilman

MINUTES OF THE VOTING MEETING OF THE PRESCOTT CITY COUNCIL HELD ON AUGUST 27, 2019, in the COUNCIL CHAMBERS LOCATED AT 201 SOUTH CORTEZ STREET, PRESCOTT, ARIZONA.

1. CALL TO ORDER

Mayor Mengarelli called the meeting to order at 3:00 p.m.

2. INTRODUCTIONS/ANNOUNCEMENTS

Mayor Pro Tem Orr discussed last week's Arizona League of Cities & Towns Conference and stated that present Councilmembers were able to meet with 91 other cities and discuss all of the great things happening here and the progress that has been made on issues. She also recognized Mayor Mengarelli for his appointment as President of the Greater Mayor's Association.

Mayor Mengarelli also commented that Mayor Pro Tem Orr was placed on the Governor's Commission for the 2020 Census so she will be working with that group to ensure everyone is properly counted.

3. INVOCATION

Father Pierre-Henry with St. Luke's Episcopal Church

4. PLEDGE OF ALLEGIANCE

Mayor Mengarelli

5. ROLL CALL

Greg Mengarelli	Mayor
Billie Orr	Mayor Pro Tem
Steve Blair	Councilman
Phil Goode	Councilman
Jim Lamerson	Councilman
Alexa Scholl	Councilwoman

Steve Sischka Councilman

6. CONSENT AGENDA

COUNCILMAN SISCHKA MOVED TO APPROVE CONSENT AGENDA ITEMS 6.A. THROUGH 6.D.; SECONDED BY COUNCILMAN LAMERSON: PASSED [7-0].

- A. Approval of minutes for the August 13, 2019 Special Meeting/Executive Session, the August 13, 2019 Study Session and the August 13, 2019 Voting Meeting.
- B. Approval of Amendment No. 5 to City Contract No. 2017-260 with the Robb Group, LLC for Economic Development Services in the amount not to exceed \$52,000.00. Funding is budgeted in the General Fund.
- C. Approval to accept two grants awarded to the Prescott Police Department by the Governor's Office of Highways safety in the total amount of \$48,015.00 for enforcement programs and to purchase two LIDAR speed detection systems.
- D. Approval of Reimbursement to Westridge Preserve, LLC in the amount of \$179,582.92 for the Kile Street Water Line, per the Development Agreement approved on May 14, 2019 - City Contract 2019-226. Funding is available in the Water Fund.

7. CONSENT ORDINANCE

COUNCILMAN SISCHKA MOVED TO ADOPT CONSENT ORDINANCE ITEMS 7.A. THROUGH 7.B.; SECONDED BY MAYOR PRO TEM ORR: PASSED [7-0].

- A. Adoption of Ordinance No. 2019-1685 authorizing the purchase and acceptance of a public water line easement from White Spar, LLC. Funding is available in the Water Fund.

ADOPT ORDINANCE NO. 2019-1685 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE PURCHASE AND ACCEPTANCE OF A PUBLIC WATER LINE EASEMENT, FROM WHITE SPAR, LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID PURCHASE AND ACCEPTANCE.

- B. Adoption of Ordinance No. 2019-1683 authorizing acceptance of a water line easement from 3rd Gen Enterprises, LLC.

ADOPT ORDINANCE NO. 2019-1683 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, YAVAPAI COUNTY, ARIZONA, AUTHORIZING THE ACCEPTANCE OF A WATER LINE EASEMENT, FROM 3RD GEN ENTERPRISES, LLC, AND AUTHORIZING THE MAYOR AND STAFF TO EXECUTE ANY AND ALL DOCUMENTS TO EFFECTUATE SAID ACCEPTANCE.

8. LIQUOR LICENSE AGENDA

A. NEW LICENSES

1. Public Hearing and consideration for a New liquor license application for a Series 12 Restaurant liquor license from Dylan Mitchell Barrows, applicant, for Rosatis Pizza; Location: 207 W. Willis Street.

Applicant Dylan Barrows addressed Council regarding the application. Rosatis has been in the location for three years, it is recently under new management and customers have been expressing that they would like to have beer, wine and liquor available.

Mayor Mengarelli thanked Mr. Barrows for his business.

Councilman Sischka asked where Rosatis is located.

Mr. Barrows described the location on Willis next to the Sprint Store. **COUNCILWOMAN**

SCHOLL MOVED TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN SISCHKA: PASSED [7-0].

COUNCILWOMAN SCHOLL MOVED TO APPROVE ITEM 8.A.1.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7-0].

9. REGULAR AGENDA

- A. Amended Preliminary Plat for Bradshaw Hills Subdivision modifying the proposed building setbacks.

Planning Manager George Worley provided a presentation to Council regarding the proposed modifications to Bradshaw Hills development setbacks. Approximately two months ago the preliminary plat was before Council and approved, however, there was an issue discovered by the developer after adoption regarding the original setbacks for the development. This item was returned to Planning & Zoning Commission for review. It was previously approved with Single Family 9 Zoning setbacks (25' front & rear and 9' side), however the developer intended less than that and changed setbacks to 5' on all sides. Upon review by Planning & Zoning Commission there were concerns regarding small size of setbacks and negative public comment was received. Planning & Zoning was split and no recommendation was made, so the developer is now seeking approval from Council for 15' front & rear setbacks and 7' side setbacks. This is not our standard for that zoning, however it is a setback combination that is not out of the ordinary.

Councilman Blair asked if Planning & Zoning Commission has reviewed this revision.

Mr. Worley said that they have not, but that Council does have the opportunity to send it back to them if they chose.

Councilman Sischka stated that he feels it should go back to Planning & Zoning Commission for review.

Mayor Pro Tem Orr echoed Councilman Blair and Sischka that this should be returned to Planning & Zoning Commission for review. She also stated that she has spoken with residents in the area and they are concerned, and she addressed the issues that the Pedestrian Bicycle & Traffic Advisory Committee is looking into with Bradshaw Road.

City Manager Michael Lamar stated that the Public Works Department is looking into road improvements in the area, but commented that to fix the problems will be very expensive.

Mr. Worley reminded Council that this proposal will just change the setbacks, however, the number of lots on the development and the open space will remain the same.

Councilman Sischka asked what the public comment was at Planning & Zoning Commission was, and what the set back requirements are for this zoning area.

Mr. Worley stated that there was a lot of public participation, particularly on topic of overall design of subdivision and some on setbacks. He stated that the developer could move forward with the original proposal that was approved and would not have to come back until final plat, but they wanted to make changes to setbacks which opened up discussion regarding all aspects of the development. The Planning & Zoning Commission vote was only on the setbacks. He stated that the business general zoning setback requirements are smaller, while the residential in similar neighborhood are larger so the proposal from the developer is more in the middle of both of those.

Mayor Mengarelli stated that his concern is whether or not the full Planning & Zoning Commission was present when the first revised setbacks were discussed, they have not seen this even new revision.

Councilman Lamerson said that there is a reason why we have the process we do, these things are supposed to go to Planning & Zoning Commission in order for them to provide a recommendation to Council and he is not comfortable looking at this until that happens.

Councilman Goode agreed with Councilman Lamerson.

Councilwoman Scholl echoed Councilman Lamerson's comments and said that we have our committees and commissions that make a recommendation to us for a reason and we should stick with that.

Gary Souza, Prescott Resident, addressed Council regarding article in the paper regarding similarities to Paradise, CA and issues coming out of Bradshaw Road creates a fire trap. He said that we are not doing as well as we should be and are not using the state laws to make it easier for builders to develop. If Prescott burns who do we go to because our roads are inadequate and a change needs to be made right away.

Gary Palmer, Prescott Resident, addressed Council with binders of information and reviewed the timeline of this development over the last nearly two years. He reiterated his previous comments regarding the positive dealings he'd had with the developer and staff up to this time, and said the important thing to look at is the original design proposals remain unchanged. He recommends a vote of no on these setbacks however.

Developer, Jerry Blakemore addressed Council regarding the fact that the current zoning would require them to build three story homes on the lots which is not what the original intent was, they have proposed single story units on lots ranging from \$350,000-\$450,000. He said that if the new setbacks are not approved they will proceed with the three story lots units they are being forced to do, but that they will not return to Planning & Zoning Commission for this matter. It was a scrivener's error and they are not willing to waste any more time.

COUNCILMAN BLAIR MOVED TO RETURN ITEM 9.A. TO THE PLANNING & ZONING COMMISSION; SECONDED BY COUNCILMAN GOODE: PASSED [6 TO 1], DISSENTING COUNCILMAN LAMERSON.

- B. Adoption of Ordinance No. 2019-1684, authorizing debt issuance through the Water Infrastructure Finance Authority of Arizona (WIFA) for the intermediate pumping station, and declaring an emergency.

ADOPT ORDINANCE NO. 2019-1684 OF THE MAYOR AND COUNCIL OF THE CITY OF PRESCOTT, ARIZONA, APPROVING THE FORM AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT WITH THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA FROM ITS DRINKING WATER REVOLVING FUND PROGRAM; DELEGATING THE DETERMINATION OF CERTAIN MATTERS RELATING THERETO TO THE BUDGET/FINANCE DIRECTOR OF THE CITY; PROVIDING FOR THE TRANSFER OF CERTAIN MONEYS AND MAKING CERTAIN COVENANTS AND AGREEMENTS WITH RESPECT THERETO; AUTHORIZING THE TAKING OF ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY SUCH LOAN AGREEMENT AND THIS ORDINANCE; AND DECLARING AN EMERGENCY

Finance Director Mark Woodfill provided a presentation to Council regarding the WIFA loan acceptance. Staff has been working on this for approximately 7 months. He stated that the interest rate will be set when loan is closed - which is why there is an emergency clause included - and they hope to do so by this Friday. 30 year interest rate would be 1.6% and 20 year would be 1.5%, however, the benefit of paying over 30 years is additional funding available, so that is staff's recommendation. 30 year Term

COUNCILMAN SISCHKA MOVED TO ADOPT ITEM 9.B.; SECONDED BY MAYOR PRO TEM ORR: PASSED [7-0].

- C. Approval of purchase for three (3) ea. 2020 marked patrol vehicles from Courtesy Chevrolet using State of Arizona Law Enforcement Contract ADSP017-166120 pricing in the amount of \$209,127.56 (City Contract No. 2020-044). Funding is available in the FY20 General Fund.

Fleet & Facilities Manager Mike Carr provided a presentation to Council regarding the purchase of three new vehicles to replace vehicles that have met requirements for replacement including age, mileage and vehicle history. All three vehicles being replaced will be considered for disposition at auction in the future.

MAYOR PRO TEM ORR MOVED TO APPROVE ITEM 9.C.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7-0].

- D. Approval to purchase a FARO 3D laser crime scene and accident scene imager from Faro Technologies in the amount of \$70,925.43 utilizing General Services Administration contract GS-07F-1097GA (City Contract No. 2020-046). Funding is available in the Police Department budget.

Police Chief Debbie Black introduced Lt. Jason Small to provide a presentation to Council regarding purchase of budgeted technology item to assist in investigations. The laser scanners will aid in the processing of crime and accident scenes by taking laser images and photographs at the same time to overlay and create a 3D image. In the past 4 people would process a crime or accident scene over the course of 8-10 hours, the scanners will allow for two people to complete in approximately 2-3 hours. Within two years or so we should be able to recoup costs with manpower savings. This device will be used on crime scenes, accident scenes, unknown cause of death scenes and more.

COUNCILWOMAN SCHOLL MOVED TO APPROVE ITEM 9.D.; SECONDED BY COUNCILMAN SISCHKA: PASSED [7-0] .

10. ADJOURNMENT

Quote - "Everything is changing, people are taking their comedians seriously and their politicians as a joke." Will Rodgers

There being no further business to discuss, Mayor Mengarelli adjourned the meeting at 3:43 p.m.

GREG MENGARELLI, Mayor

ATTEST:

MAUREEN SCOTT, City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Voting Meeting of the City Council of the City of Prescott, Arizona held on the 27th day of August, 2019. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2019.

AFFIX
CITY SEAL

Maureen Scott, City Clerk