

“And in the end, it’s not the years in your life that count; it’s the life in your years.”
Abraham Lincoln

Mayor Wilson said that he felt it was appropriate for someone who had known him for a long time to offer remarks of condolences from the City of Prescott, and called upon Mayor Pro Tem Mary Ann Suttles.

Mayor Pro Tem Suttles said that they have lost one of the good guys. She said that he was so instrumental in town. He did the Christmas lighting, and was part of the land exchange of the rodeo property. He was a huge part of Pioneer Park and everything he did was for kids. She met him in Little League 30 years ago. She said that they had moved to Prescott and they took her kids down to the Holiday Shop to get their equipment, and she walked out being the Equipment Manager of Little League. From that, they had Ernie Jones who is now Chairman of the Tribe, who was the coach for the Holiday Shop, Bill Valley and they dealt with A.C. Williams and Jim McCasland, and there was never anyone that said no to Gheral for very long. He has left his fingerprint and they are very pleased to have known him.

Councilman Roecker said that anyone who has lived in Prescott for a few years knew Gheral. They are going to miss him a lot. He also met him at the Holiday Shop. If they all had the energy and the focus that Gheral had to get things done, the community would be way down the road. They really want to express thank to Gheral for the time he spent with them in the City.

Councilman Bell said that he did so much for the City and was so much a part of it for so many years. He was one of the most positive people he has ever met, and they extend their sympathy to Carol and his family. He was a great man and they are going to miss him.

Councilman Lamerson said that he knew Gheral for 30 years and he loved his version of the English language. He never understood how a man so much older than him could whip him on a regular basis on a racquetball court; how he could play softball better; run a little faster and longer. He will miss Gheral; he was one of Prescott’s true heroes. He said that he wants to thank his family for having allowed the City of Prescott to enjoy and learn from Gheral.

Councilman Luzius said that Gheral will be missed by all of them. He said that he has to recall when he was a firefighter for the City of Cleveland, he met a person and as they began to talk he told him that he was from Prescott, and the gentleman said that he was the cousin of a fellow in Prescott—Gheral Brownlow. He said that when he came back to Prescott and he told Gheral and Carol that he had met this individual and from that point on they had a great deal to talk about. Gheral was a member of his Church, Sacred Heart. He was a very good man and did a lot for this town, a lot of which most people will never know.

Councilwoman Lopas said that she did not personally Gheral but she hopes that all of the wonderful things that he started are continued by future generations. He did a lot of wonderful things for the community and they need to embrace them and bring them forward.

At this, a moment of silence was held in honor of Mr. Brownlow.

I. PUBLIC COMMENT

- A. Wayne Daniel re discount for City employees at Golf Course and Manzanita Grille.

Wayne Daniel, 5885 Symphony Drive, said that he wanted to talk about the Mesquite (Manzanita) Grille Restaurant and the Antelope Hills Golf Course. The people of Prescott do not want to be the owners or landlords of the two businesses for two reasons. First, from a practical point of view, these types of businesses are a headache; they are hands-on labor-intensive kinds of businesses and the recent experience with the last lessor in the restaurant cost the City about \$225,000, not counting legal expenses or staff time. They want them to sell the restaurant and the golf course, and they were earlier talking about a sewer system that they needed \$10 million for; that may be a good way to get some resources for that. They want them to apply the time, the money and the energy and talents of the elected officials and employees to manage for the benefit of the entire citizenship of Prescott.

The second reason is a matter of principle. Government ought to do government things; water, sewer, police, fire, those kinds of things and leave everything else to private businesses. There are 161 restaurants listed in the Prescott telephone book right now. All are open to the public. There are five golf courses listed in the phone book; all also open to the public. When they sell the businesses, no one will be deprived of being able to go to a restaurant or a golf course. In fact, these same locations will still be open to the public. The owners of the businesses (the public) are particularly annoyed that they give a discount to not only the employees that work there, but they have extended that to all City employees, numbering 558 plus part-timers. The owners of the restaurant are not given such a discount. The public does not want to be in any business that is in direct competition with regularly-available identical businesses. The private sector is better able to operate such businesses than is the government. They want the City to spend their money and time on things they cannot readily and reasonably provide for themselves.

Lastly, he said he has used the term “we the people” and they may wonder who he is and what makes him think he can speak for the people. He said that almost everyone he has spoken to on the subject agrees with

what he has said, but if they want to know what the people of Prescott want them to do with the two businesses, they should put it on the ballot.

Mayor Wilson noted that at their January retreat, the City Council identified the restaurant and golf course as a privatization opportunity and they will be looking at it this year.

- B. Michael Golden re (1) sidewalk/street accessibility and (2) new park on Sarafina.

Michael Golden, 1700 Sarafina Drive, said that there has been a lot of extended traffic on the street due to the people coming off of Smoketree going to Willow Lake Road. He said that coming off of Smoketree there is only one speed limit sign. In the older part of Sarafina, where the manufactured homes are, the developer put the mailboxes on the sidewalks. They take two feet of the sidewalk, which only leaves two feet. He said that he started calling the City over a year ago and was told the developer was going to come back and finish the half-moons to get around, but that has not happened. He said that he has had to walk onto the roadway at times and it is an accident waiting to happen. He said that the traffic coming down that road is going too fast, and there needs to be more speed signs.

Mr. Norwood said that he would follow up on these issues. Mayor Wilson said that he thought that the sidewalks were public rights-of-ways.

- C. Jeannine Guardalabene re City's paving requirements for alleyways.

Ms. Guardalabene handed out some pictures of the improvements she had made on her property. She said that last September, she and her partner purchased 911 East Goodwin. They own six houses in Prescott and all of them look a lot better than when they first bought them. She said that Prescott should encourage investors in the properties.

She said that when they bought the property, 911 had parking on the west side of the lot, and additional parking behind the house along the alleyway. She said that there is one home on the double lot and it zoned multifamily so they are building a second unit, with parking on Goodwin. There is absolutely no impact on the use of the alley by the second unit. The two young women that currently live at 911 have one car and one bicycle. The City Code requires paving of an alleyway to the closest paved street for any new construction or for substantial remodeling of properties along the alleyway, or they can pay into a "paving fund" as established in Title 14 of the City Code.

The City Code has been in effect since 1980 and looking at the diagram she showed three different parcels that have homes that were either built or substantially improved since 1980, so according to the City Code, the City should have collected three times to pave the alley to Goodwin Street. The City said that they have no record that those three properties ever paid into the paving fund, but they intend to “start now” by collecting from them. She asked if the paving was actually going to be done in the next year or two if they pay into the fund. They were told that they could not guarantee that, and possibly not in her lifetime.

She said that the City has notified them that they will not issue a Certificate of Occupancy until they have paid to have the entire alleyway paved up to their rear line. There’s no requirement for the neighbors across the alleyway to participate for the cost and they have 40 parking spaces. She said that they are happy to pay their fair share for paving; they support Prescott paving the alleyways and would love to get rid of the dust. All over the country the cities make all sort of water, sewer, streets, alleyway improvements and then each property is assessed a fair share.

Today she is requesting that the Council immediately issue an injunction from holding their project hostage and request that this issue be tabled until a more equitable, logical and reasonable solution to the ordinance is created. She closed with the question, “If someone in our city wants to substantially improve their property, do we really want to discourage them by having a paving ordinance like this?”

Mayor Wilson asked when the apartment building was built, with the 40 spaces. Ms. Guardalabene said that it was built in 1978, so it is not covered by the 1980 rule. She said that they feel like they are between a rock and a hard spot. She could pave her portion of the alleyway, and she will get the benefit of that, but the City is going to tear up that alleyway next year for sewer improvements. Her other option is to pay into a fund where nothing may happen within her lifetime.

Mr. Norwood said that he would research this and get an answer within a week.

II. PROCLAMATION

- A. April 2008 as *Substance Abuse Awareness Month*.

Councilman Luzius invited everyone with MAT Force to come forward and then read the proclamation proclaiming April 2008 as Substance Abuse Awareness Month.

Bob Farster said that MAT Force has become an intricate part of the community; they have made great strides over the last few years. They are very blessed in this community that they have people who care enough to get involved in this program. He said that they meet 11:30 to 1:00 on the fourth Thursday of every month.

Cheryl Dutcher then spoke, stating that they need to educate the community, especially the children. She has run into a lot of children whose lives have been impacted by drugs and alcohol.

Delores Cordova, Assistant Program Manager for Child Protective Services in West Yavapai County, said that working with families, they see the effects of drugs and alcohol, through second and third generations. It is very important that they all bond together to assist these families to have the treatment they need and she is glad to be a part of MAT Force.

Diane Brock said that she runs an organization called Choices for Youth, Families and Adults and they work from middle school aged kids up to incarcerated adults, and MAT Force is a huge help. She said that they have seen people turning their lives around and she is grateful to be part of the community.

Kevin Kapp, Superintendent of Schools with Prescott Unified Schools, said that all of the school districts are part of the coalition, due to the leadership of Sheila Polk. He said that sometimes problems are so big they don't know where to start and MAT Force has been willing to step up and start the challenge. On another note, Mr. Kapp said that 45 years ago he was a second baseman on the Holiday Shop Little League team.

Police Chief Randy Oaks said that on behalf of the MAT Force Executive Team, they appreciate the City's proclamation as it is one more step in awareness.

Jean Wellins, Public Relations Assistant MAT Force, said that she wanted to mentioned that on March 29 in Cottonwood they have a kick-off March Against Meth Parade at 11:00 a.m. with a Community Fair at noon in the middle school. On April 10, 2008 there is a Drive Against Meth Golf Tournament at the Antelope Hills Golf Course and they need more players. On April 11 MAT Force is sponsoring training for prevention and treatment professionals and this month's meeting on the fourth Thursday it will be regarding issues on underage drinking.

Councilman Luzius thanked everyone and said that it was a pleasure to be associated with such a fine group of people and such a worthwhile program.

III. PRESENTATION

A. Introduction of new businesses.

Susan Cohen of the Prescott Chamber of Commerce then introduced the new businesses, and representatives from the following businesses introduced themselves and told a little about their business:

1. Western Lifestyle Photography
2. Prescott Staging
3. Arizona Mobile Cinema
4. Sanford Cohen – Arizona's Hometown Radio Group.

IV. CONSENT AGENDA

Mayor Wilson stated that there had been a request to pull Item D from the Consent Agenda.

CONSENT ITEMS A THROUGH G LISTED BELOW MAY BE ENACTED BY ONE MOTION. ANY ITEM MAY BE REMOVED AND DISCUSSED IF A COUNCILMEMBER SO REQUESTS.

COUNCILWOMAN SUTTLES MOVED TO APPROVE CONSENT AGENDA ITEMS IV-A THROUGH IV-G, EXCLUDING ITEM D; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- A. Approve contract with UNICO Universal for the Dexter Neighborhood Sidewalk Improvements/Merritt in an amount not to exceed \$100,587.70.
- B. Adopt Ordinance No. 4644-0846 - An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the granting of certain underground power line easement rights to Arizona Public Service Company (APS) to provide for the installation of updated electrical facilities for 21 portable hangars to be relocated by 2251 Ruger L.L.C. to a new location of the Prescott Municipal Airport and authorizing the Mayor and staff to execute all necessary sale and conveyance documents.
- C. Approve an engineering services agreement with Ninyo & Moore for quality assurance testing services for City streets and utilities projects, in an amount not to exceed \$100,000.00.

- E. Approve purchase of the Tyson property located on Cortez (next to City Hall) in the amount an amount of \$257,000.00.
- F. Approve contract for outside counsel in the Mason/Griffin v. City of Prescott case.
- G. Approve the Minutes of the Prescott City Council Workshop of February 26, 2008, the Study Session of March 4, 2008, and the Special Meeting of March 11, 2008.

V. REGULAR AGENDA

- D. Accept proposal and approval of contract with Horizon Airlines for airline service between Prescott Municipal Airport and Los Angeles International Airport.

Ms. Bristol said that since their discussion last Tuesday, two things happened. They have a copy of the contract in the packet, and one of the items discussed dropped—the marketing went from \$43,500 to \$41,000. Also, the Town of Prescott Valley agreed to entertain an IGA to solidify their commitment to the airline should it be approved in the amount of \$42,000.

Councilwoman Suttles asked how Flagstaff's vote came out on the agreement. Ms. Bristol said that they approved it.

Councilman Lamerson said that he was never clear on an issue, having to do with the opportunity for the local area people to have access to different medical care quicker, whether it was in Los Angeles or Las Vegas, in addition to Phoenix and Prescott. Ms. Bristol said that is an issue that came to her attention that there are residents in the community that desire this service to have access to state-of-the-art, world-renown medical care.

Councilman Luzius said that he wanted to go on record to thank Prescott Valley for having the progressive outlook to come forward and help in this endeavor. He said that whether or not it passes today, they are always talking about regional cooperation and he thanks them for coming forward. He wished that the County Board of Supervisors would have seen in the same direction.

Ms. Bristol noted that the City of Cottonwood has also expressed an interest in supporting this endeavor, and they have placed it on their agenda for next Tuesday evening. Councilman Luzius applauded them as well.

Councilman Bell said that he understood that the Prescott Chamber of Commerce has stepped up and has offered to do some things to help this endeavor. Ms. Bristol said that in addition to that, the Prescott Valley Economic Development Foundation has pledged \$10,000 to marketing. The Prescott Valley Chamber of Commerce is by all accounts going to approve a \$5,000 contribution, so there is quite a bit of interest and support from the Prescott Valley area, and the Prescott Chamber of Commerce is coming forward with some in-kind contributions that will add up to be very substantial.

Steve Silvernail, 820 E. Sheldon, representing Prescott Transit Authority and Airport Shuttle, said that he was in a conference last week in Las Vegas and when he returned he read in Wednesday's paper that they were considering a contribution to someone that is going to compete with him directly. He said that he does not fly, but he carries people to airplanes and every passenger that is taken away from him is dear to him. Last year their passenger count went down about 4,500 which is significant number to a company that employs 55 people. He does not oppose the airline coming to Prescott, but he does oppose the City Council subsidizing it. Every nickel that they make goes to his people, his employees, and they don't have a profit structure; everything is put back into the transit system. The Prescott City Bus operates on the subsidy that they generate through the surpluses from the shuttle, so this will be very detrimental to them. He thinks it is ghastly for them to subsidize it.

Mr. Silvernail asked if there have been any other comments that were negative. Ms. Bristol said that she does not recall any public comments in the negative last week. Councilman Roecker said that he got an e-mail from someone that hates everyone from California. Mayor Wilson said that it has been about 10:1 in favor from his standpoint, in terms of messages and e-mails he received. Mr. Silvernail said that the 55 people that work for him don't think it is a good idea.

Wayne Daniel said that he would be one of the negative people. He said that the airline is a full-profit business and is not any different in structure than the shuttle business. He would be a customer of that airline, but doesn't think they should ask everyone to pay for his ticket. If a ticket is higher to fly to Los Angeles than Phoenix, he makes that choice. He should have the freedom to say he will pay more. That property belongs to them, the people. To say they will pay \$50,000 for advertising in Los Angeles and \$40,000 here, there are relatively few people that will be on those planes. To demand that the citizens subsidize a for-profit airline is not fair.

Chuck White, owner of Shuttle U, said that he and Mr. Silvernail disagree on a few things, but this is one they do agree on. They also employ over

50 people that work and live in Prescott, and spend their money there. He would guess that there is 30-40% of the population from California. Through his research, that is what he found out. Right now, Mr. Silvernail and he take those people down to the Valley to get on an airplane to fly to LAX, so now that this is coming in, he would have to think that a percentage of those California people will take it, and if they do, then they won't be taking their shuttles.

He has to heartily disagree with the City providing them with \$345,000 to do whatever it is they have to do to make the terminals better, or whatever. He was talking with Councilman Luzius, and he had expressed to him his concern because they are building a new building, Shuttle U will be relocating to the corner of Merritt and Montezuma and it took about six months to get his building permits. The building is a small building with a three-car garage, and no one offered him any money to help him out. He said that for it to take those six months, it put him behind three months and caused a monetary hardship. He said that to see Horizon coming in, which is competition to them, he realizes it is part of growth, but to give them money goes against the grain of a lot of people and he was really surprised to hear that there were no negative comments. He was reading an editorial today in the paper with a negative comment about the contribution of \$365,000. He saw that the City helped Lowe's to get in to the City and now they are helping Horizon, yet they are not getting any help providing their shuttle business, which is a tremendous service to the citizens. He is very displeased about the money.

Dave Maurer, CEO of the Prescott Chamber of Commerce said that he wanted to explain their thinking on their support of the project. He said that when they discussed this at their Board of Directors meeting he likened it to a series of minor events occurring at the Airport. Over time certain things have happened that have led to the future of the Airport. They saw this as a huge impact. This City has struggled for many years to reach 10,000 enplanements annually, which is a magic number that frees up federal funds for a new terminal, runway extension, etc. and these are things that he believes a majority of the citizens have been excited about. For an airline to come to the City and say they offer a 75 seat airline, that gets them to 10,000 much more quickly.

He said that this is not money going directly to Horizon upfront. It is only a guarantee that if they don't meet their load factor in the first year, a portion or possibly the whole subsidy would be paid to them. He appreciates the points made today by the shuttle owners, but this is one of those cases where they believed it could make a huge blip on the overall impact of the Airport, and that is why they support it.

Mr. Edward Berdic, 123 S. Mount Vernon, said that Councilman Lamerson made an interesting comment regarding the availability of medical facilities in Los Angeles. In addition, he has been thinking that the other benefit is there are a number of people that might fly from New York to Los Angeles, and they find there is a flight available to a small town in Arizona, called Prescott. He said that this could be a big advantage for economics at no cost, and a big benefit to the entire population. He said that this is something that comes along once in a lifetime.

COUNCILWOMAN LOPAS MOVED TO ACCEPT THE PROPOSAL AND APPROVE THE CONTRACT WITH HORIZON AIRLINE SERVICES FOR AIRLINE SERVICE BETWEEN PRESCOTT MUNICIPAL AIRPORT AND LOS ANGELES INTERNATIONAL AIRPORT; SECONDED BY COUNCILMAN LAMERSON; PASSED UNANIMOUSLY.

- A. Public Hearing of Draft FY 2008 Annual Action Plan associated with the City's Community Development Block Grant (CDBG) Program.

Ms. Hartmann said that this is the second public hearing. They have received eight projects and selected three. The first project is the paving, sidewalk and gutter in the Dexter Neighborhood on Campbell Street. This will have a low to moderate area benefit and is good for the Dexter area. The second project is the West Yavapai Guidance Clinic Hillside renovation and expansion. Renovation of the facility will add 7 bathrooms, sinks, tubs, paint, ceiling improvements and will increase their ability to serve 213 extra people in the residential treatment facility. This is a \$50,000 grant. The third project is with Habitat for Humanity and is a national project done throughout the United States. It is called "A Brush with Kindness" and they have asked for \$50,000 for tools. It is an authorized project, and they plan to renovate the exterior of ten homes a year. She said that if they are 30-60% of the average income, they can't always afford to do this type of work.

Councilman Roecker said that Councilmen Blair and Steward were both very focused on getting the Dexter portion of the grant taken care of and he is sure they are very happy.

Councilwoman Suttles said that it was not too long ago that some of the Council members attended a Dexter Community Potluck. They had 30-40 people attend and they could not wait to get their neighborhood back. She is pleased to see that energy there. Ms. Hartmann said that the committee goes through a very thoughtful process.

Councilman Luzius said that wanted to also comment that the people in the Dexter area are very committed to improving their neighborhood and anything they can do to help them is a plus.

Councilman Lamerson said that he is a proponent of public health and safety and he appreciates the way that she and the volunteers have chosen to extend their leverage ability to help hundreds.

COUNCILWOMAN SUTTLES MOVED TO CLOSE THE PUBLIC HEARING; SECONDED BY COUNCILMAN ROECKER; PASSED UNANIMOUSLY.

- B. Approval of purchase agreement for the Hazelwood property in the Granite Dells in the amount of \$2,900,000.00.

City Attorney Gary Kidd said that this item is for approval of a purchase agreement for the Hazelwood property located in the Granite Dells, in the amount of \$2.9 million, proposed to be payable over two fiscal years. He said that there is an initial payment in the contract of \$10,000 and there is also some information in the packet regarding the mitigation plan that has been required on that property. The seller is to conduct the initial mitigation required by the Army Corp of Engineers, and they have a contract to do that with Biozone. The intent is to have that contract assigned to the City and they will have that for the remaining portions of the mitigation. There is also an agreement to allow the City to purchase an additional three parcels of property, approximately .79 acres at the agreed-upon price per acre of \$84,000.

He recognized Councilwoman Lopas, Mayor Wilson, and Councilman Luzius as they were all involved in the negotiations. He said that Councilwoman Lopas has been involved with this for a long time and has done a lot of the work behind the scenes.

Eric Smith then gave a presentation on the property, noting that it was also known as the Granite Gardens, and the former location of the 400 Club, which was an establishment that existed there for many years. He showed a map to show the actual location, noting that it is part of the larger Granite Creek Corridor and trail connections.

Mr. Smith said that other features within the property include picnicking opportunities, facilities for educational groups, nature study, partnerships between the City and Prescott Creeks and the City and Prescott College. Currently the portion of the property closest to the highway is a rock climbing destination so it is common to see vehicles and Prescott College vans because of the climbing opportunities on the parcel. He then showed a couple of photographs that included some of the features.

Councilwoman Suttles said that she has had a couple of e-mails asking if this was the time to purchase open space with the understanding that they

have to maintain it. Councilwoman Lopas said that right now the real estate market is at a bottom; this is the time to buy. Once it has been developed they cannot get the land back, and they already have the money set aside. The citizens already voted to set aside funds for open space.

Councilwoman Lamerson said that he has argued since he has been on the Council that the Council has the flexibility on how to spend the money. He asked Mr. Kidd if once the funds have been set aside, if they can change that. Mr. Kidd said that once it is budgeted, that is the line item they have to spend that item on. The way the ballot was worded and the lawsuit was resolved, the Council does have discretion on each given year during the budget process.

Councilman Lamerson said that he voted against allocating money into open space funds for money that could also be used for the General Fund, but with regard to the democratic process, the majority of the Council has designated open space purchases in the Dells Area as a priority. It is because of that reason that the money has been designated, that he supports this purchase. He supports it because it is near and dear to the hearts of the people. He said that they don't win them all, but this is the right thing to do. He probably won't vote for open space next year, but they cannot walk away from this project when Council after Council has had a majority prioritize this property.

Councilman Roecker said that the Open Space Committee is an active committee and it is because of their participation and being aware of what is going on that they were able to stop some outcroppings from being destroyed. Future generations will thank them. He said that this is one big piece of the puzzle that they have put together and they will continue to move on with other pieces. He said that the only question in his mind is that at some point they have to address the issue of maintenance of the open space, but that is a different issue from what they are discussing today. Today is the day to vote yes.

Councilman Luzius said that he is one of the lucky ones in that he remembers when it was Club 400; it is a beautiful piece of Arizona history. He said that this is what the citizens voted for in 2000 when they voted in 1% for roads and open space. This is the time to buy because real estate is at a low.

Councilman Bell asked Mr. Kidd if he was comfortable with the mitigation. Mr. Kidd said that was a concern of his and others, but they have a contract in place that the City will assume once they close, so they have covered that aspect. He said that what they have is as good as they can make it.

Councilman Bell said that he was in favor of the purchase.

Mayor Wilson said that he wanted to recognize Councilwoman Lopas, adding that it would not have happened without her astute judgment, advice and knowledge to guide them in the right direction. Also, Michael Byrd, Executive Director of Prescott Creeks was instrumental in helping them decide on whether they did their due diligence on mitigation efforts, and he knows a lot more about that than any of them on Council.

Councilman Luzius said he wanted to echo the commendation to Councilwoman Lopas, stating that she worked very hard on it and it has been a long time coming. He said that it is a gem in the Granite Dells area and he also commended Mayor Wilson and Mr. Kidd for their efforts.

Mayor Wilson said that he also wanted to note that this is a keystone property in looking at a map of open space. He thinks they will see others come into the City's portfolio as well, but this is a keystone property.

Councilwoman Lopas said that Councilman Roecker was the Council's liaison on the Open Space Committee and he commented about two years ago that Granite Dells was like Prescott's own Central Park. That is how the Open Space Committee feels and they will be enjoying the area for years to come.

Steve Blair, 1802 Northside, commended the Council for the purchase. He said that as an advocate in parks and open space, which he has a degree in, he agrees that it is their own Central Park. As a steward of money in the community as well as maintenance of the parcel, he wants them to take it serious that they continue to buy open space, which he commends, but there needs to be an avenue to fund maintenance of that property. He said that they have over 400 acres in open space and in talking with the Fire Department, it cost \$1,000 to \$5,000 per acre to maintain property for Firewise purposes. That would suggest to him that they should go back to the public with an amendment to authorize the Council to spend up to 5% of the original money for open space maintenance and protection. That is the right thing to do. They don't have the funds or the ability to keep adding employees. It is the Council's obligation to find a mechanism and make it work. He said that they need a usage plan for property they're buying. He said it was a great day in Prescott.

Councilman Roecker asked Mr. Kidd if they would have to go back to the public and vote for such an amendment. Mr. Kidd said that they have been discussing that for a long time, and that would have to go back to the

voters. They have the need for maintenance and the responsibility to supervise the areas to some extent.

Mayor Wilson noted that one of the priorities listed at the Retreat was the extension of the one-percent road and open space tax which they were supposed to do this year, and that would include consideration of such an issue.

Tammy Linn, 1401 Cliborne Circle, said that they have spent four weeks looking at the needs of the City. She wants to make sure that everyone gets the message. She is an avid hiker and outdoorsman, and takes advantage of everything, yet they need fire stations. The money for maintenance would have to come from the General Fund. She would concur that before they make other steps in the future, they need to take a look, as good stewards of the City's money. She said that she loves open space, but the reality is that if it is going to cost millions of dollars, when one department has a request for \$34 million for safety, she would have a hard time buying additional property that needs maintenance. She said that she and her kids are at the dells and they fall all the time; just wait until the first injury takes place.

Mayor Wilson asked how much they spend on open space currently. Mr. Smith said that they currently have an operating budget of \$35,000 a year that comes out of the General Fund. They have a part-time maintenance position coming out of the parks budget, which is seasonal for all nine open space areas, plus the volunteer activity at the Nature Center.

Councilman Lamerson asked what the starting salary of a police officer is. Chief Oaks said that it was around \$42,200. Councilman Lamerson said that he appreciated the comments from Ms. Linn and understands that the monies voted to be put into the open space fund can only be spent on the purchase of open space. They cannot use it for maintenance, police officers, etc. The majority of the Council has voted in the last few years to put money in that fund. That is why he supports it, but it doesn't mean he does not agree with her and it doesn't mean that other people have priorities different than he does.

Councilwoman Suttles said that she believes they all understand where they are. They have to find a way to fund the maintenance.

Ron Fox, 2802 Northwest Circle, in the Granite Gardens Subdivision. He said that he thinks they have made a good decision to purchase the property and he appreciated the pictures. He asked the Council members if they have seen the property currently. He asked what the mitigation is that is going to happen. Mayor Wilson asked Mr. Byrd to explain the

mitigation. Mr. Fox said that he would also like to see the boundaries of the exact property they are buying.

Michael Byrd, Co-Chairman of the Open Space Acquisition Committee, said that there is a difference between mitigation and restoration. He said that the Corp of Engineers has required that the property owner conduct mitigation activities to lessen the impact of the construction activities that have taken place on the property. The property owner originally had the intention of building condos and residential developments on the property. They have now chosen not to go that route and to sell, which the committee was unanimously in favor of. Restoration to the property's previous state is impractical, and ecologically not a favorable thing to do. The lake was not a natural lake. Prescott Creeks and he have been involved for at least a year, if not longer, as well as the Open Space Acquisition Committee. The property will be returned to a very natural condition with native vegetation and retaining the open space values of recreation, historic, scenic, wildlife habitat, riparian values, etc. Mr. Smith then showed the boundaries of the property.

Doug Humes, 834 Bluejay Drive, said that he has been a member of the Open Space Alliance for many years and served on the Board of Directors of the Central Arizona Land Trust for several years, and professor of environmental studies and education at Prescott College. He has also implemented a place-based environmental education program with Miller Valley School working with 90 fifth graders for close to 30 years. He wanted to thank Councilwoman Lopas for her leadership on this and also he was 17 when he first came out from the cornfields of Illinois, and his first experience in Prescott was to go backwards off the high rappel. It was a life-changing experience and never wants to do it again, but he recognizes its values.

He said that with the climbing community he can partially speak for them that there are many communities that have climbing opportunities and he believes that liability can be worked out and should be. He believes the open space acquisition of the area is very significant. He recalls in the 1970's that the area was designated by the State of Arizona as a significant natural area, and he was part of the team that helped on that recommendation. It doesn't give it any legal status, but does recognize its unique ecological attributes. He also visited the area with Charlie O'Leary from the Trust for Public Lands three or four years ago when there was a significant flood and he was very impressed with the beauty and the potential of flooding that can occur there. It was the same day he took Charlie over to the Community Nature Center and that worked out well for the community. Incidentally, he helped Henry Dalberg put the pond in, in 1973, so he has had a significant effort in volunteering for open space since he first came to Prescott in 1970. It was disturbing to see the

ecological damage that went on in that area and he knows Michael Byrd, who was actually a student of his, and he thinks that the ecological work he can do in helping restore some of the values can go a long way to restoring the value of the property. He thinks it is a keystone area, and he fully supports and appreciates the prospective of the Council.

COUNCILWOMAN LOPAS MOVED TO APPROVE THE PURCHASE AGREEMENT FOR THE HAZELWOOD PROPERTY IN THE GRANITE DELLS AND AUTHORIZE THE MAYOR AND CITY STAFF TO TAKE STEPS NECESSARY TO COMPLETE THE PURCHASE OF THIS PROPERTY; SECONDED BY COUNCILMAN BELL; PASSED UNANIMOUSLY.

C.* Recess into Executive Session.

A break was held at 4:42 p.m. The Council reconvened at 4:50 p.m. at which time, **COUNCILMAN LAMERSON MOVED TO RECESS INTO EXECUTIVE SESSION; SECONDED BY COUNCILWOMAN SUTTLES; PASSED UNANIMOUSLY.**

VI.* EXECUTIVE SESSION

A. Discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body, except that, with the exception of salary discussions, an officer, appointee or employee may dem and that the discussion or consideration occur at a public meeting. The public body shall provide the officer, appointee or employee with written notice of the executive session as is appropriate but not less than twenty-four hours for the officer, appointee or employee to determine whether the discussion or consideration should occur at a public meeting, pursuant to A.R.S. 38-431.03(A)(1).

1. Possible amendment to City Manager contract.

VII. ADJOURNMENT

The Prescott City Council reconvened Open Session at 5:15 p.m. at which time the meeting was adjourned.

JACK D. WILSON, Mayor

ATTEST:

ELIZABETH A. BURKE, 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 25th day of March, 2008. I further certify the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2008.

AFFIX
CITY SEAL

ELIZABETH A. BURKE, City Clerk