



PRESCOTT CITY COUNCIL REGULAR VOTING MEETING A G E N D A *ACTION TAKEN*

**PRESCOTT CITY COUNCIL
REGULAR VOTING MEETING
TUESDAY, June 8, 2010
3:00 P.M.**

**Council Chambers
201 South Cortez Street
Prescott, Arizona 86303
(928) 777-1100**

The following Agenda will be considered by the Prescott City Council at its **Regular Voting Meeting** pursuant to the Prescott City Charter, Article II, Section 13. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

- ◆ **CALL TO ORDER**
- ◆ **INTRODUCTIONS**
- ◆ **INVOCATION:** Pastor Amy Ryland, Church of Nazarene
- ◆ **PLEDGE OF ALLEGIANCE:** Councilman Hanna
- ◆ **ROLL CALL:**

MAYOR AND CITY COUNCIL:

Mayor Kuykendall	
Councilman Blair	Councilwoman Linn
Councilman Hanna	Councilwoman Lopas
Councilman Lamerson	Councilwoman Suttles

◆ **SUMMARY OF CURRENT OR RECENT EVENTS**

I. PUBLIC COMMENTS

- A. Prescott Western Heritage Foundation re Sam's Crossing.
- B. Bill Bonewitz re Rosser Street improvements and noise.
- C. David Hartke re the 30th Annual Quad City Pancake Breakfast on June 12, 2010.
- D. Wayne Danniell re noise abatement.
- E. Frank Creelman re lessons from George Washington.

II. PRESENTATIONS

- A. Todd Sadow of Epic Rides re the economic impact of the Whiskey Off-Road Bike Race.
- B. Presentation of plaque from The Associated General Contractors of America by representatives of Asphalt Paving and Supply.
- C.* **Presentation by Councilwoman Tammy Linn re Volunteers in Prescott (VIP) and Town Square Ambassadors.**

III. CONSENT AGENDA

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

ACTION: *MOVED to approve Consent Agenda Items A and B; passed unanimously.*

- A. Adoption of Ordinance No. 4746-1043 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, accepting the grant of a Public Utility Easement from TWC-Prescott Mall, LLC, owner of the Prescott Gateway Mall, and authorizing the Mayor and City staff to take all necessary steps to effectuate such acquisition and dedication.
- B. Approval of the Minutes of the Special Meeting of the Prescott City Council held on May 20, 2010; the Workshop held on May 24, 2010; the Special Meeting of May 25, 2010; and the Regular Voting Meeting held on May 25, 2010.

IV. REGULAR AGENDA

- A. Public Hearing and consideration of State Liquor License Application No. 10133217, for a new Series 10, Liquor Store License for Michael Francis Lewis, applicant for Mike's Mini Market located at 924 East Gurley Street.

ACTION: *MOVED to close public hearing and approve State Liquor License Application No. 10133217, for a new Series 10 Liquor Store License for Michael Francis Lewis, applicant for Mike's Mini Market located at 924 East Gurley Street; passed unanimously.*

- B. Appointment of members to the Advisory and Appeals Board, Fire Board of Appeals and Prescott: The Arizona Centennial City Committee.

ACTION: *MOVED to appoint the following: Sharon Nordyke, Fire Board of Appeals, term expires 03/2013; George Sheats, Advisory and Appeals Board, term expires 03/2012; and, Flo Day, Prescott: The Arizona Centennial City Committee, term expires 03/2012.*

- C. Adoption of Ordinance No. 4745-1042 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, declaring that it is necessary to acquire portions of Yavapai County Assessor’s Parcel Numbers 115-01-055, 115-01-056, 115-01-061A, 115-01-065 and 115-01-001F under the power of eminent domain for an authorized public use and need and authorizing and directing the City Attorney to condemn and acquire such property as necessary and declaring an emergency.

ACTION: *MOVED to adopt Ordinance No. 4745-1042, including parcels 115-01-055 and 115-05-056, and excluding parcels 115-01-061A, 115-01-065, and 115-01-001F; passed unanimously.*

- D. Approval of Lease Agreement with MH Properties, LLC (Guidance Helicopters) for approximately .395 acres of airport property at Ernest A. Love Field.

ACTION: *MOVED to approve the lease agreement with MH Properties, LLC (Guidance Helicopters) for approximately .395 acres of airport property at Ernest A. Love Field and authorize the Mayor and City staff to execute any and all related documents necessary for the lease; passed 5-2 (Kuykendall, Suttles).*

- E. The Homestead:

1. Adoption of Resolution No. 4027-1057 - A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, authorizing the City of Prescott to enter into a Development Agreement with Tenney Homestead, LLC, and Jeanne Tenney Brown, and authorizing the Mayor and staff to take any and all steps necessary to accomplish the above.

ACTION: *MOVED to adopt Resolution No. 4027-1057; passed unanimously.*

2. Public Hearing and adoption of Ordinance No. 4747-1044 – An ordinance of the Mayor and Council of the City of Prescott, Yavapai County, Arizona amending the Zoning Map pertaining to that certain property generally located north of Nathan Lane and West of Summer Field, described as Parcel Numbers: 110-06-005R, 110-06-005Q and 110-06-006A from “Single-Family-35 Zoning” to “Single-Family-18 Zoning”.

ACTION: *MOVED to close the public hearing; and adopt Ordinance No. 4747-1044; passed 6-1 (Lopas).*

3. Approval of Preliminary Plat (PP09-002) for the Homestead.

ACTION: *MOVED to approve The Homestead Preliminary Plat #09-002 subject to the City department comments within the Staff Report dated June 08, 2010; passed 6-1 (Lopas).*

4. Approval of Water Service Agreement (10-001), property is generally located east of Senator Highway and west of Summer Field. APN's 110-06-005R, 110-06-005Q, 110-06-006A.

ACTION: *MOVED to approve Water Service Agreement No. 10-001; passed unanimously.*

- F. Award of bid for the FY2011 Chip Seal and Various Pavement Repairs Project to Cactus Asphalt, a division of Cactus Transport, Inc., in an amount not to exceed \$1,445,090.00.

ACTION: *MOVED to award bid for the FY2011 Chip Seal and Various Pavement Repairs Project to Cactus Asphalt, a division of Cactus Transport, Inc., in an amount not to exceed \$1,445,090.00; passed unanimously.*

- G. Award of bid for the FY2011 AR-ACFC Overlay Project to Grady's Quality Excavating, Inc., in an amount not to exceed \$319,982.00.

ACTION: *MOVED to award bid for the FY2011 AR-ACFC Overlay Project to Grady's Quality Excavating, Inc., in an amount not to exceed \$319,982.00; passed 6-1 (Blair).*

- H. Consideration of co-sponsorship of resolutions to be submitted to the League of Arizona Cities and Towns for the 2011 Legislative Session.

ACTION: *MOVED to co-sponsor the resolutions from the City of Yuma; passed unanimously.*

- I. Approval of the OSDBA support and Munis software annual support and licensing agreement in the amount of \$91,921.00.

ACTION: *MOVED to approve the OSDBA support and Munis software annual support and licensing agreement in the amount of \$91,921.00; passed unanimously.*

- J. Adoption of Resolution No. 4025-1055 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, approving the transfer of unencumbered appropriations from the Police Department to the Fire Department and the City Clerk Department.

ACTION: *MOVED to adopt Resolution No. 4025-1055; passed unanimously.*

- K. Adoption of Resolution No. 4026-1056 – A resolution of the Mayor and Council of the City of Prescott, Yavapai County, Arizona, adopting a Tentative Budget, expenses for the City of Prescott for the Fiscal Year 2010-11, authorizing and directing publication of Statements and Schedules of the Tentative Budget, together with Notice of Hearing on said Budget and Notice of Date of Final Adoption of said Budget, and Notice of Date of Establishment of the Expenditure Limitation, and Notice of the Date for Fixing a Tax Levy.

ACTION: *MOVED to adopt Resolution No. 4026-1056, removing \$1,000,000.00 from the Parking Garage Fund and adding \$100,000.00 for a potential Special Election; passed unanimously.*

- L. Recess into Executive Session.

ACTION: *MOVED to recess into Executive Session; passed unanimously.*

V. 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 demand that the discussion or consideration occur at a public meeting, pursuant to A.R.S. 38-431.03(A)(1).

1. Annual evaluation of City Manager.
2. Annual evaluation of City Clerk.

VI. POST EXECUTIVE SESSION

- A. Possible action on Employment Agreement with City Manager.

ACTION: *MOVED to approve a one-year extension of the City Manager's contract with no change in pay or benefits; passed unanimously.*

- B. Possible action on Employment Agreement with City Clerk.

ACTION: *Postponed until the next meeting (June 22, 2010) due to the City Clerk's absence.*

VII. ADJOURNMENT