

DRAFT SUMMARY MINUTES OF THE REGULAR MEETING OF THE COTTONWOOD AIRPORT COMMISSION OF THE CITY OF COTTONWOOD, ARIZONA, HELD OCTOBER 16, 2008 AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

Chairman Gradijan called the meeting to order at 6:00 p.m.

Roll call was taken as follows:

Commission Members Present

Aleck Gradijan, Chairman
Larry Minch, Vice Chairman
John Altizer, Commission Member
Margaret Austell, Commission Member
Bill Tinnin, Commission Member

Commission Members Absent

Jim Moeny, Commission Member
Allyson Waak, Commission Member

Staff Members Present

Tim Costello, Public Works Director
Barb Herrick, Administrative Coordinator

PLEDGE OF ALLEGIANCE TO THE FLAG

Chairman Gradijan led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mr. Gradijan asked for comments and approval of the minutes of the regular meeting of the Airport Commission held on September 18, 2008, work session of September 5, 2008 and special meetings held on September 22, 2008 and October 2, 2008. Mr. Minch had a question about a comment made by Jim Gay regarding the fuel truck not leaking anymore than Larry Green's tank. Mr. Minch asked if Larry Green's tank was a double-walled tank and noted that the fuel truck was not. It was explained that Mr. Gay was just making a comment. Mr. Minch stated that he had no other issues. Mr. Minch moved to approve all of the minutes as written and Mr. Altizer seconded the motion. The vote was in favor of the approval of the minutes.

BRIEF SUMMARY OF CURRENT EVENTS

Mr. Costello addressed the commission regarding the 20% late fee charged for tie-down rents. He stated that the late fee was charged on the total amount due. After discussions with Mr. Rodriguez, Mr. Rodriguez agreed to administratively charge 20% of the first month. If the amount goes unpaid for the second month, the late charge will be charged for the two months.

The next item Mr. Costello summarized for the commission was the painting of the hangar fascia. He stated that the painting was complete. The commission members' comments indicated that they were pleased with the results.

CALL TO THE PUBLIC

There were no comments from the public.

UNFINISHED BUSINESS

Airport Ordinance

Mr. Costello opened the discussion by stating that the changes that were requested at the previous meetings have been made and the document is the packet for review. The key change, if no other penalty has been stipulated involves a global penalty of suspending access using the electronic gate key.

Mr. Minch addressed the wording in Section 1 that stated "unauthorized persons may be asked to leave", and questioned if it should be "unauthorized persons shall be asked to leave". Mr. Costello stated he was making the statement permissive, but it could go either way. Mr. Altizer stated that it would allow an option.

Mr. Altizer stated that he felt the wording in Section 9, Appeals was very confusing.

Mr. Gradijan then gave a brief history by stating that the commission set out to write the Operations and Procedures Manual and then the Manual was re-written because some of the wording was too strong. He also stated that the commission then had the discussion of what should be an ordinance. Mr. Gradijan felt that the discussion has gone on beyond reason.

Mr. Gradijan went on to say that in regards to the Airport Operations and Procedures Manual, he wanted to submit the following motion: that we abandon seven individual ordinance items and submit the latest revised "City of Cottonwood Airport Operations and Procedures Manual" to the Cottonwood City Council for approval as an ordinance and only one ordinance to cover the said manual in its entirety.

Mr. Tinnin seconded the motion.

Mr. Gradijan asked for a vote.

Mr. Altizer responded by saying that the item was not on the agenda and he didn't think it was in Robert's Rule to even discuss it.

Mr. Gradijan stated that he had discussed the item with the city attorney the day before. Mr. Gradijan also told Mr. Altizer that if he did not like the decision he could get advice on what procedure to follow.

Mr. Minch wanted a clarification on who Mr. Gradijan had his discussion with.

Mr. Gradijan stated that he had a discussion with the city manager to find out if we could vote on this issue and he called Steve Horton. Mr. Horton said it was OK.

Mr. Gradijan went on to say that a motion was made and seconded. An “in favor” vote will mean that we will follow this motion and submit it to the city council as one Operations Manual. A “nay” vote will in effect go back to the seven item ordinance.

The vote was as follows: three “yeas” and two “no’s”. The majority carried the motion with a quorum.

Mr. Costello also clarified that the Operations and Procedures Manual version would be before the latest revision.

Mr. Minch stated that he does not agree with what has just happened. He noted that in the packet it talks about the “Ordinance” and that is the document with the seven items. He said that what has happened is that the Ordinance has changed to the Operations and Procedures Manual. Mr. Minch wanted to go on record as stating he does not agree with it.

Mr. Gradijan suggested that we table the item.

Mr. Minch wanted to know why we did not do what we had planned to do all along to finalize it.

Ms. Austell voted in favor in the interest of keeping it simple and stated that all the airport information would be in one unit. She also said that she felt that it would be in the best interest for efficiency and simplicity to have everything together. Ms. Austell also did not foresee any police officers at the airport and said that the worst infraction that they could have would be the gate key being revoked.

Mr. Altizer wanted to be noted for the record that he also objects to the procedure and feels it is invalid because it was not noted on the agenda. He stated that by taking this action we are violating the public notice law and it is null and void and possibly violated the public meeting notice law of the state of Arizona.

Mr. Gradijan stated that under “Unfinished Business” it says “Airport Ordinance”. It is not specific or definitive; it just says “Airport Ordinance”. He went on to say that what we just voted on was to submit the manual to the council to make it an ordinance.

Mr. Gradijan stated that the protests have been noted. Because there is only one person that makes the legal decisions, Mr. Gradijan directed Mr. Costello to consult with our city attorney as to exactly how this was handled. If it isn't right and proper we will set it aside and it will be placed on next month's agenda.

Mr. Minch stated that it says in the packet "Airport Ordinance - a special meeting the proposed ordinance prepared by the city attorney". (The statement was from the minutes of the September 22, 2008 meeting.) He stated that that was the ordinance he came prepared to vote on, and he did not come to vote on the whole manual to become an ordinance.

Mr. Tinnin noted that he agreed with Ms. Austell to keep it simple. He thought that all of the airport's manuals that they had gotten were ordinances in their entirety.

Additional discussion took place regarding the validity of the vote, and it was determined that the commission let the city attorney make the decision.

FBO Contract

Mr. Gradijan opened by explaining that the FBO Contract expires on February 8, 2009. He indicated that the commission felt that it was unfair to wait until the last day to figure out the city was going to do, so we asked for a statement of intent from the city. This was handled at the last city council meeting. The city council stated that they would not renew the contract and they asked the commission to submit to the council a new agreement.

Mr. Gradijan stated that he was going to form a subcommittee to do a basic draft of the lease that will contain the duties and requirements of the FBO and the compensation for services for the FBO and the conditions and remedies of default or failure to comply with the requirements. The subcommittee will consist of four members and they will prepare the draft that will be submitted to the commission for discussion and a vote. Afterwards, it will be submitted to the city attorney for revision and then final review through the commission before submitting to the city council.

The subcommittee will include: Al Gradijan, Jim Moeny, Bill Tinnin and Margie Austell. The meeting time will be set later and an agenda will be posted.

Electrical Upgrade Project

Mr. Costello informed the commission that the Rural Electric will be returning November 3 to finish up the contract. He also discussed the change order for the apron lighting. Mr. Costello's recommendation was to go with the HPS lighting that would be \$16,391. He noted that the city's share would be \$819.55.

Mr. Gradijan questioned whether the 400W HPS would be adequate compared to the current 1000W lights. Mr. Costello stated that the lights are modern and highly efficient. The energy savings will pay back our investment in 3-6 months.

Mr. Gradijan wanted to know how often the runway lights are checked to see if they are working. Mr. Costello stated that there is a daily check sheet used for checking.

Mr. Gradijan also wanted to know if there were procedures in place to check the PAPIs. Mr. Costello stated that he sets them personally with a measurement device at 3 degrees.

Mr. Altizer asked if it was a state or federal grant that would be paying for the lights and Mr. Costello stated that it was a federal grant. Mr. Costello went on to say that this would be a 95% federal grant and we are waiting to hear if the state will pay 2 1/2%.

Mr. Costello asked for direction from the commission for the apron lights. Mr. Altizer made a motion to add the lights to the contract. Mr. Minch seconded the motion and the vote was unanimous.

Before moving on to the next item, Mr. Minch had a question regarding the FBO Contract. He stated that the CEO of Aerobear, Bob Luna, was present at the meeting and felt it would be wise to ask Mr. Luna if he was interested in staying on as FBO before we proceed with a draft agreement.

Mr. Gradijan addressed Mr. Luna and stated the agreement reads that both parties (Aerobear and the City of Cottonwood) have to mutually agree on the contract or it will automatically end. The City Council has elected that the current agreement will end. The commission has offered to prepare another contract and the Council has asked the commission to do so. The question directed to Mr. Luna was "do you want it to end, or do you want us to come up with another"?

Mr. Luna stated that when they come up with the contract, he would review it.

Financial Report

Mr. Altizer stated that he had questioned Mr. Rodriguez on the posting of the quarterly rent fees and wondered why the income does not show 25%. Mr. Rodriguez stated that that is how they handle the books. Mr. Altizer informed the commission that until Mr. Rodriguez brings everything up to date, the financial report is worthless.

Mr. Minch made a motion that the quarterly financial report be submitted on the second month of each quarter. Mr. Gradijan seconded the motion, and the vote was in favor.

Promotion Committee Report

Mr. Gradijan noted that because of the absence of Mr. Moeny there would not be any Promotion Committee report. Mr. Gradijan made the motion to table the report until next month. Ms. Austell seconded the motion and the vote was unanimous in favor.

NEW BUSINESS

Building of New T-Hangars

Mr. Gradijan started the conversation by stating that he is pushing for new t-hangars to fulfill the needs of the community. He stated that there is always a demand for hangars. Mr. Gradijan presented a way that we can make hangars work. By charging \$275 a month for hangars for 12 hangars we would collect \$3,300 a month in revenues. If we could borrow \$325,000 at 4 percent over 10 years, the monthly payment would be \$3290.40. Mr. Gradijan stated that from a capital investment point of view, it would make sense.

Using a projected image of the airport, locations for the hangars were pointed out and discussed.

Mr. Costello noted that the downside of the building of the t-hangars would be the FAA. They might want you to pay for the pavement or some depreciated cost of the pavement. The FAA does not fund hangars, and there could be some discussion regarding this.

Mr. Gradijan noted that Mr. Costello would have to find out what the FAA would allow.

Mr. Luna addressed the commission and stated that about 3 years ago we had 10 more airplanes on the field, and we are losing aircraft at the airport. They are either selling or moving out. Mr. Luna also stated that Valle Airport has empty hangars.

Mr. Gradijan made a motion to take this to the next level of investigation of what the FAA will allow, investigate what it will cost to build the hangars, and have a more detailed dialogue with Mr. Bartosh and Mayor Joens. Mr. Tinnin seconded the motion and it was approved.

AWOS and ASOS AND PAVEMENT MAINTENANCE

Mr. Gradijan noted that at last month's meeting it was discussed and the consensus was that AWOS was more important than pavement preservation. Mr. Gradijan did not agree with the decision. After the meeting, Mr. Gradijan had conversations with the airport users and asked for their opinion. Their opinion was that we had to protect our pavement before everything.

Mr. Gradijan stated that we need to preserve what we have. He also said that we had a cold tar problem and that escalated the cost considerably.

Mr. Costello explained that the cold tar problem is on the north half of the apron. ADOT Aeronautics once funded us for a pavement maintenance job. ADOT Aeronautics said that they would do pavement preservation for all airports in Arizona. When they discovered the cold tar, they felt it would not bond or adhere. The new treatment they were going to use is a “mill and fill”, which grinds off the top surface and then new asphalt is laid down.

Mr. Costello stated that there is a new product that is new to the west. The representative visited our airport and gave a demonstration and did a couple of test sections. They are by the electrical vault. The product is very different. It has no asphalt, its base is cold tar and the rest is polyethylene (plastic). It is very rough, does not fade and it is fuel resistant and water proof.

Mr. Tinnin asked when the test patches were put down. Mr. Costello noted that it was about a month ago.

Mr. Gradijan added that we have enough money to do one or the other project, but not both.

Mr. Costello noted that the amount of money in our account is \$325,000.

Mr. Minch made a comment that balance between AWOS and pavement. He stated that part of the contract with the FBO is to monitor UNICOM that could give minimum wind and wind direction. We can get along a long time without AWOS or ASOS, but we could not without pavement.

Mr. Minch made a motion to make pavement preservation ahead of AWOS/ASOS. Mr. Altizer seconded the motion. The vote was all in favor.

Mr. Costello added that the AWOS was not “cut and dry” because it was an encroachment. The tower is 30 feet tall and it was to be placed by the midfield windsock. He went on to say that because it was an encroachment, he was not sure that the FAA would fund it. The pavement preservation will delight the FAA and ADOT.

Mr. Tinnin asked how big of an area and what would be the cost of the pavement preservation.

Mr. Costello stated that the overlay would be \$300,000 and the rest of the apron was \$67,000 (from the Cottonwood Airport Pavement Maintenance Report).

SET FUTURE AGENDA ITEMS

Old Business

- FBO Contract
- Operations and Procedures Manual
- Promotions Committee Report
- Hangar Investigation
- Financial report
- Upgrade grant info

ADJOURNMENT

Mr. Minch made the motion for adjournment. Ms. Austell seconded the motion. The vote was unanimous and the meeting was adjourned at 7:22 p.m.