

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD MAY 7, 2013, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

CALL TO ORDER AND ROLL CALL

Mayor Joens called the meeting to order at 6:00 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Jesse Dowling, Council Member
Tim Elinski, Council Member
Linda Norman, Council Member

COUNCIL MEMBERS ABSENT

Ruben Jauregui, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Steve Horton, City Attorney
Matthew McLean, Deputy Clerk
Roger Biggs, Utilities Department Administrative Manager
George Gehlert, Planner
Rudy Rodriguez, Administrative Services General Manager

PLEDGE OF ALLEGIANCE TO THE FLAG

Spencer Midkiff lead the Pledge of Allegiance.

BRIEF SUMMARY OF CURRENT EVENTS

Mr. Bartosh reminded the public they should have received their ballots for the council member runoff and the permanent base adjustment and encouraged the public to make sure they turned in their ballots. The Old Town Jail parking lot project was under construction this week. The new city-wide software was beginning the installation phase that would have the accounting, business license, utilities and everything would be in this new software. The employee spring fling was this Friday and they would be recognizing some of our employees for their years of service as well as recognizing our valuable volunteers.

Vice Mayor Pfeifer announced she attended the fair this weekend.

Council Member Elinski stated he and Council Member Norman were interviewed last Thursday for the candidate forum and it was available to view on verdevalleytv.com and also on Channel 2.

Mayor Joens announced the following:

- She attended the Arizona Town Hall meeting and the city manager was there to talk about his experiences in attending Town Hall and gave a really excellent presentation on leadership.
- We have Bike to Work on Friday, May 17, at 8:30 a.m.
- She attended the Fit Kids new building grand opening.
- On April 20 she attended the Buena Vista Children's Services' 20th celebration in the Civic Center.
- She attended the Habitat for Humanity, Bonner house signing.
- At the Verde Valley Leadership summit Robert Valentine, President of the CYAC, won the youth award and Ruth Wicks won the adult award.
- She attended NACOG in Flagstaff on the 25th and invited council member elect Randy Garrison to attend with her so he could learn about NACOG.
- She attended the April 26 governor's annual volunteer service awards reception.
- She attended the Kids Against Hunger and Manzanita Outreach open house.
- On May 1 she was invited to do an Old Town Walk by Karen Leff who owns the Cottonwood Hotel.
- On May 2 she was invited to the Elks Lodge for the Youth Week awards.
- On May 3 she went to Prescott for John McCain's town house and he explained in detail his plan and thoughts on immigration.
- On Saturday the Compassionate Friends had its balloon release in honor of community members who have lost their children.
- Yesterday she met up with Linda Heidenreich who does the literacy for kindergarteners' water program that is a partnership with the city and Cottonwood Oak Creek School District to educate the children about water conservation.

Mr. Bartosh stated he forgot a couple of other things; we had a delegation from Mexico looking at what we are doing here in Cottonwood, particularly with the Old Town area, and on May 18 and 19 is the MS bike ride.

PROCLAMATIONS—NATIONAL KIDS TO PARKS DAY & BIKE MONTH

Mayor Joens declared May 18, 2013, as National Kids to Parks Day; and May as Bicycle Awareness Month.

CALL TO THE PUBLIC-- This portion of the agenda is set aside for the public to address the Council regarding an item that is not listed on the agenda for discussion. However, the Council cannot engage in discussion regarding any item that is not officially listed on the agenda for discussion and/or action (A.R.S. §38-431.02.H.) Comments are limited to a 5 minute time period.

Dr. Bob Richards, a Cottonwood resident, encouraged Cottonwood to push for the shoulder improvement along Highway 260 to be part of the highway improvement plan so they would be redone between Cottonwood and Camp Verde.

PRESENTATION—RECOGNITION OF THE COTTONWOOD YOUTH ADVISORY COMMISSION FOR BEING NOMINATED FOR A GOVERNOR’S VOLUNTEER SERVICE AWARD

Mayor Joens stated she was invited to attend the governor’s luncheon in honor of the Cottonwood Youth Advisory Commission (CYAC) who were nominated for a Governor’s Volunteer Service award. The mayor and council then presented the award that had been given at the luncheon to the CYAC to the CYAC members that were present.

APPROVAL OF MINUTES—SPECIAL & REGULAR MEETINGS OF APRIL 16, 2013, SPECIAL WORK SESSION MARCH 28, 2013, WORK SESSION APRIL 9, 2013, SPECIAL MEETINGS OF APRIL 29, & 30, 2013

Council Member Dowling moved to approve the minutes. The motion was seconded by Vice Mayor Pfeifer, and carried.

OLD BUSINESS—NONE.

CONSENT AGENDA

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY RICHARD T. WILLIAMS ON BEHALF OF THE GOLDEN COBRA CENTER OF FITNESS, INC., FOR A FUNDRAISER SCHEDULED FOR MAY 18, 2013

NEW LIQUOR LICENSE APPLICATION SUBMITTED BY TY B. STUIT, FOR THE BRASS TACK RESTAURANT LOCATED AT 1075 HIGHWAY 260

AWARD OF JOB ORDER CONTRACT FOR THE CONSTRUCTION OF THE QUAIL CANYON WATER LINE PROJECT

RESOLUTION NUMBER 2696—APPROVING AN AMENDMENT TO JPA NO. 07-040 WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION CONCERNING RESPONSIBILITY FOR THE MAINTENANCE AND OPERATION OF CERTAIN STREET LIGHTS

Mayor Joens stated she was thinking of pulling item number 3 and would like to talk about that item for the public’s information.

Council Member Elinski moved to approve items one, two, and four on the Consent Agenda. The motion was seconded by Council Member Norman, and carried.

AWARD OF JOB ORDER CONTRACT FOR THE CONSTRUCTION OF THE QUAIL CANYON WATER LINE PROJECT

Mayor Joens stated she thought it was important for the public and our water customers to understand what the city was doing to benefit them, and asked Mr. Biggs to come up and

explain it.

Mr. Horton asked if the Deputy Clerk could read the resolution before he did that.

Mayor Joens requested the Deputy Clerk read Resolution Number 2696 by title only.

RESOLUTION NUMBER 2696

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING AN AMENDMENT TO JPA NO. 07-040 WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION CONCERNING RESPONSIBILITY FOR THE MAINTENANCE AND OPERATION OF CERTAIN STREET LIGHTS.

Mr. Biggs stated the Quail Canyon water line was actually a 2,700 foot transmission line that would feed water from the Quail Canyon water system directly into the Verde Village 6 and 7 distribution system. It uses a variable speed pump that would reflect the system pressure. It was designed to bolster some weakness of that part of the system. This water line works to support peak demands during the hot weather. The Quail Canyon well has very low levels of arsenic and requires no treatment.

Mr. Trainer then explained the pumping process for the well.

Mayor Joens asked if there were any questions from the public, and a woman from the audience questioned if they were local contractors.

Mr. Biggs stated all three were.

Council Member Elinski moved to award the contract to construct the Quail Canyon water line to Tiffany Construction in the amount of \$159,993.55. The motion was seconded by Mayor Joens, and carried.

NEW BUSINESS—The following items are for Council discussion, consideration, and possible legal action.

RESOLUTION NUMBER 2698--APPOINTING JAKE GONZALES A MEMBER OF THE CITY'S MUNICIPAL PROPERTY CORPORATION

Mr. Rodriguez stated they solicited for members for the Municipal Property Corporation and Jake Gonzales was the only applicant. He had served on the board previously and this would be a re-appointment for him. He was asking that he be appointed to finish out a three-year term that should actually end on September 1, 2015.

Mr. Gonzales stated he also represented the city on the NACOG Area Agency on Aging board and served as its chairman.

Council Member Norman moved to approve Resolution Number 2698, reappointing Jake Gonzales as a member of the city's Municipal Property Corporation board to serve for the remainder of a three-year term ending September 1, 2015. The motion was seconded by Vice Mayor Pfeifer, and carried.

Mayor Joens requested the Deputy Clerk read Resolution Number 2698 by title only.

RESOLUTION NUMBER 2698

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPOINTING JAKE GONZALES A MEMBER OF THE CITY'S MUNICIPAL PROPERTY CORPORATION.

PRESENTATION BY PAT WALKER CONSULTING, LLC, REGARDING IMPACT FEES

Mr. Rodriguez stated they were running a little bit late on this project and they had some deadlines they had to meet. Development, or impact fees as they were also called, had been a big issue with the legislature over the years. Pat Walker could give them information on what issues we were going to run into during the process.

Mayor Joens asked if this was the council's strategic initiative of cost and benefits of growth study.

Mr. Rodriguez stated it was probably a portion of that and there was a lot more to it they wanted to consider.

Pat Walker addressed the council and briefly reviewed her professional background. She stated the bottom line was if you don't do a study and go under the new guidelines of A.R.S. 9-463.05, which was a result of Senate Bill 1525, and have new fees adopted by August 1, 2014, you can no longer collect the impact fees. It was imperative that you do a study so you can support the fees according to the new law.

Ms. Walker then gave an overview of the process with a PowerPoint presentation as follows:

- Development fees are a one-time charge applied to offset the additional public service costs of new development. Costs that can be funded by development fees are excess capacity of existing facilities and improvements required to service new development. You could not use the fees for improvements required for improvement for deficiencies or maintenance or repairs.
- There were methodologies that you use in impact fees calculations: buy-in, incremental, or hybrid. There were pros and cons to each method and as a fee study you looked at what those pros and cons are and calculate it and see what makes the

most sense for the community.

- There was a capital and financial planning process. The law had changed dramatically as far as the justification and the information you have to provide. There were six steps involved in the process: 1) Evaluate factors affecting capital requirements; 2) Develop comprehensive facility master plan; 3) Identify capital requirements and evaluate alternative financing methods; 4) Develop IIP with levels of service, units of service; 5) Calculate development fees and determine other revenue sources; and 6) Project revenues and financing to meet goals.
- What the city has right now is a water and wastewater system development impact fee. The study was completed in 2007 when there was a lot of good growth. A lot of things have changed since 2006-2007. The city had identified \$42.8 million for growth related water and sewer projects, and \$52 million was the total amount overall for growth and non-growth. She then reviewed the city's current utility impact fees. In addition to that the city did have some outstanding debt; a 2004 MPC debt of \$16.2 million and the 2006 debt MPC debt of \$16.2 to acquire water systems.
- A.R.S. 9-463.05 made a major policy change regarding funding and financing infrastructure which was a virtual rewrite of the development fee statute, and more narrowly defines "necessary public services." Cities are impacted differently and specific project types are not allowed to be paid by impact fees starting January 1, 2012. There were new timelines for adopting, the study process takes 12 to 15 months to complete, new fees must be adopted by August 1, 2014, and there are restrictions on contracting sales tax. You have to forecast growth related revenues to offset costs of new infrastructure/facilities. It was required to demonstrate need to service new growth by "service unit" and "service area" requirements. You must demonstrate "substantial nexus" between necessary public service and the demands of new growth. New growth projects must have a 3 or more year life expectancy, must be owned or operated on behalf of the municipality, and financing costs are allowed for growth related projects, which was not new. She then reviewed the key changes of the statute pertaining to modified IIP and land use assumptions reporting requirements, the requirement to establish a new advisory committee or conduct a biennial audit, and the date/timeline and process for the development/impact fee study.

Council Member Elinski questioned how much of the debt were they allowed to pay through the use of impact fees.

Ms. Walker stated they would have to calculate that based on the amount of the amount of existing capacity and what they were projecting for the future; then it would be a percentage of existing versus new growth. That would be part of the study they would have to do.

Mr. Horton stated they had had ongoing discussions about a big potential future growth area of the city which was Bella Montaña. The wastewater treatment over there was going to be

treated independently of our current wastewater treatment plant because of the distance and there has to be some provision made for treatment over there for facilities.

After brief discussion regarding the statute and the study, Mayor Joens questioned what Mr. Rodriguez would like from the council.

Mr. Rodriguez stated this was more of an informational item for the council so they understood that we were down to the wire and had to do something with it. Staff was going to come back to the council to go ahead and begin the study and fast track it. We had been contemplating the idea of doing away with them, but at this point in time with the kind of information we do and don't have, our best bet is to go ahead and move forward with the study and during the course of putting the study together the decision may be made to keep them or get rid of them.

Mayor Joens asked if this was included in the budget.

Mr. Rodriguez stated we would have to start moving on it before July 1 and we do have the budget capacity. Every year he made sure they had the budget capacity to do the things that come up as an emergency such as this. Staff would come back with estimates on how much it would cost and make the budgetary adjustments as we go through the budget process.

PUBLIC HEARING REGARDING A MINOR AMENDMENT TO THE CITY'S GENERAL PLAN TO CHANGE A ZONE CLASSIFICATION FROM AR-43 (AGRICULTURAL/SINGLE FAMILY RESIDENTIAL) TO R-2 (SINGLE FAMILY/MULTIPLE FAMILY) IN AN AREA LOCATED AT SOUTHWEST CORNER OF CAMINO REAL AND FIR STREET

Mr. Gehlert stated this item had to do with a public hearing for the purpose of airing a development proposal by Mingus Union High School District #4 regarding a 15 acre piece of property they have owned for many years west of Camino Real and south of Fir Street. There were two other items on the agenda pertaining to the project; Resolution Number 2697 regarding a proposed amendment to the city's General Plan and a zone change under Ordinance Number 595 that would change the zoning from AR-43 to R-2 in order to establish the density that has been proposed by the project. What was being proposed was a community of duplexes, triplexes, and fourplexes that would total to about 165 units. This was characterized as a minor amendment to the General Plan because it was less than 100 acres in size. This seemed to be a logical transition of land use between the high school and the single family area south and west of the site. There was a community meeting that was held on February 15 for comments from the community and all property owners within 300 feet of the site were notified. Questions from the six-eight attendees revolved around the project. There was some concern about the density and the additional traffic impact on Camino Real and the Camino Real/Fir Street intersection, which already had a heavy traffic load. This project was being proposed in concept at this point in time. Staff was recommending as part of the associated zone change would be the later submittal of a final site plan and review and approval by the Planning and Zoning Commission that would provide a higher level of details of the project as well as traffic and drainage reports and

studies that would highlight improvements that would have to go along with the construction of the project. Ultimately, the developer would be required to provide for them.

Council Member Elinski stated he was a little concerned about the density, and he did think it was a good transition from the school campus to that property. But when you consider the surrounding neighborhood the density did seem out of character with the neighborhood. He thought they should strongly consider a greater buffer and maybe pushing the two story and more dense duplexes and triplexes closer to Camino Real.

Council Member Dowling stated some of the comments he read voiced concern over the school and that it would negatively impact it. What was happening here is enhancing the sale of that property, which goes back to the school. He asked if there were any estimates on what the increase in value would be with the zone change that would go back to the capital improvement of the school.

Mr. Gehlert stated he would have to defer to the applicant regarding that.

Mayor Joens stated Mike Gardner from Casa Verde Consulting was here tonight and asked him if he had any comments.

Mr. Gardner gave a brief history of teachers and schools in Arizona and Mingus Union High School. The high school had had this property for 40 some years and in 2008 the board decided they needed to sell the property and the voters approved it. At that time the market was going down the tubes so they sat on it and have now decided to sell it and have some control over what happens there. They were trying to establish a density for this property and give notice to the council and the community what the high school wants to see there. The market was beginning to come back up and bare property was starting to sell and there was interest in this kind of property now and this was decided to be the time to get this out in the market.

Mayor Joens asked if there were any comments from the public on this item, and there were none.

RESOLUTION NUMBER 2697--APPROVING A MINOR AMENDMENT TO THE CITY'S GENERAL PLAN

Council Member Dowling moved to approve Resolution Number 2697, amending the land use designation established by the Cottonwood General Plan for a 15 acre parcel owned by Mingus Union High School District Number 4, and more particularly described in Ordinance Number 595, from semi-public institutional to residential, medium density. The motion was seconded by Council Member Norman, and carried.

Mayor Joens requested the Deputy Clerk read Resolution Number 2697 by title only.

Mr. Horton stated for a point of clarification, we did have the public hearing and she called

for comment as part of that item.

RESOLUTION NUMBER 2697

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING A MINOR AMENDMENT TO THE CITY'S GENERAL PLAN.

ORDINANCE NUMBER 595--AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY 15 ACRES IN SIZE; SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF AR-43 (AGRICULTURAL/SINGLE FAMILY RESIDENTIAL) TO R-2 (SINGLE FAMILY/MULTIPLE FAMILY;) FIRST READING

Mr. Gehlert stated on March 18 the Planning & Zoning Commission recommended approval of the ordinance subject to the following stipulations: 1) That a final site plan be approved by the Planning & Zoning Commission together with building elevations, grading/drainage, surfacing and landscape plans prior to issuance of any permits; 2) That the total number of residential units be limited to 165; 3) That the final site plan establish methods for buffering adjacent residential development located to the south and west boundaries; 4) That access points adjacent to the Fir Street intersection be eliminated and other access drives be consolidated to the extent feasible; 5) That all required rights of way and utility easements be dedicated by plat, or otherwise recorded, as may be required by the city. Any division of this property into four (4) or more lots will require plat approval by the Planning and Zoning Commission and the City Council; 6) That any subsequent minor divisions of this property also be subject to review by the Planning and Zoning Commission; 7) That the developer provide traffic and drainage studies and be responsible for all related improvements determined to be necessary to offset impacts of the resulting development (per Ordinance 144;) 8) That a building permit be issued within five years or the action is null and void; and 9) That all other Code Review comments be addressed.

Mayor Joens asked the council and members of the public if there were any comments, and there were none. She then requested the Deputy Clerk read Ordinance Number 595 by title only.

ORDINANCE NUMBER 595

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR A PARCEL OF LAND TOTALING APPROXIMATELY 15 ACRES IN SIZE ; SO AS TO CHANGE CERTAIN DISTRICT BOUNDARIES AND CLASSIFICATIONS THEREOF FROM THE PRESENT ZONING OF AR-43 (AGRICULTURAL/SINGLE FAMILY RESIDENTIAL) TO R-2 (SINGLE FAMILY / MULTIPLE FAMILY).

RESOLUTION NUMBER 2695—APPOINTING A. DOUGLAS LASOTA AS THE CITY'S PRESIDING
MAGISTRATE FOR A TWO-YEAR TERM

Mayor Joens asked if this was something the council was going to need to go into executive session to discuss.

Mr. Horton stated perhaps, and he would recommend that they move this to the final item on the agenda.

Mayor Joens stated they would move this to the last item.

APPROVING THE PURCHASE OF A WATER-PLAY INTERACTIVE WATER FEATURE FROM
WHITEWATER WEST INDUSTRIES FOR THE RECREATION CENTER INDOOR POOL IN THE
AMOUNT OF \$163,096, PLUS APPLICABLE SALES TAX, SUBJECT TO THE CITY ATTORNEY'S
APPROVAL OF A SALES CONTRACT

Mr. Mangarpan stated this was for the consideration of a purchase of a water play interactive water feature for the recreation center's indoor pool. Staff had negotiated to get the price lower than the initial quote. There was a long lead time for this item and they were trying to get it purchased so it was delivered in time to install during the November shut down at the recreation center. They will solicit quotes for the actual installation as they were buying the item from the manufacturer which will be closer to the installation date.

Council Member Elinski questioned if the cost included coming out from California to look at it and say it looks good, and Mr. Mangarpan replied yes, and it was their version of an inspection.

Mr. Horton explained the contract negotiations for this item and that the council was being asked to waive the procurement policy requirement for the process we would ordinarily use because we have a facility that needs a particular apparatus and staff had identified this vendor as the, or the preferred, vendor of this apparatus.

Mr. Mangarpan stated he had talked to the consultant who had done the original design for the pool as well as the equipment and we had this designed in and pulled it out towards the middle of the project because of funding issues. To put in any other manufacturers' equipment in there would involve doing some reconstruction work on the pool and would be an additional expense.

Mayor Joens stated we had estimated \$200,000 to \$250,000 at first so this seemed like a pretty good amount.

Mr. Mangarpan stated they had not nailed down the installation costs yet and right now the estimate for that was \$20-25,000. It may be higher than that because we may have to put new pumps and electrical to serve the pumps for this equipment.

Jules Osher stated he had observed that the whole rec center has been a financial burden and it costs to maintain it quite a bit each year. He questioned the actual use and need of this added equipment and the justification for it. It seems like they had a beautiful set up right now with the pool that was way beyond most cities of this size.

Mayor Joens stated this was something that was planned with the original recreation center and we did not have the budget funds at those times. It was also a request from our Parks and Recreation Commission. It was a play set for our children in the community.

After further discussion regarding the water feature, Council Member Elinski moved to waive the city's procurement policy as authorized by section 6.C. thereof, and approve the purchase of a water play interactive water feature from White Water West Industries for the recreation center indoor pool in the amount of \$163,096 plus applicable sales tax subject to the negotiation and approval of the city attorney of a final form of purchase agreement. The motion was seconded by Council Member Dowling, and carried with Council Member Norman not present for the vote.

CREATION OF A NEW POSITION WITHIN THE RECREATION SERVICES DEPARTMENT;
CHANGING THE TITLES OF TWO CURRENT POSITIONS IN THAT DEPARTMENT; AND
INCREASING THE SALARIES OF THOSE POSITIONS, EFFECTIVE APRIL 14, 2013

Mr. Faust stated he was requesting the council approve, authorize and advertize the position of Recreation Coordinator II as well as upgrading/reclassifications of two additional positions within the community services department of the Cottonwood recreation center recreation division/operations. On April 9 staff brought information to the council as to cost recovery options at the recreation center which included eliminating the current recreation manager position as it is open at this time. The recreation manager range is a 29 which is \$63,853-\$94,095 a year. They looked at where to transfer a lot of authority of the position and does the administrative oversight come into being with the recreation center because this position functions at such a high level of management. What our thoughts were is we have two younger individuals that actually applied for this position, but we felt what we could do as we eliminate the position we would have them increase in responsibility and put together the job descriptions and were looking at a reclassification of their range 22 to a higher level. At this point in time we have not come to a decision as to what that level would be. The Human Resource Manager wanted to send both job descriptions to the wage/salary survey team for a recommendation for that. The coordinator position would encapsulate both sports and leisure and special events activities. The range would be at a range 16 with a starting salary of \$33,862-\$49,901. The two positions right now, the current titles were aquatics center supervisor and we would like to change that to recreation services supervisor and the second position was recreation center supervisor and would like to change that to recreation services supervisor over recreation center operations. We feel this would provide for an increase in the supervisory level which we've asked for \$8,000 for each one of those positions to be raised upwards.

Mayor Joens stated the bottom line is in the end it saves money and reduces the amount of expenditures at the recreation center, so why would it not be a good thing?

Council Member Dowling stated there were numbers floating around and were we going to adjust their range to account for the numbers. Was this definite or is this depending upon what the result is of the survey?

Mr. Faust stated what we're asking from council is the immediacy of the \$8,000 in both their salaries at this present time period, which both were close to \$45-46,000. This would be immediate back to April 14 on the retroactivity aspect of it, but we would have to wait to see where they would be. They would not fluctuate within the context of their salary; that would be set as of tonight, but their range could increase as it pertains to the job description.

Mayor Joens asked if there were any questions from the council or the public, and there were none.

Council Member Dowling moved to authorize the establishment of a new recreation coordinator II position within the city's staffing plan at range 16, to change the position titles of aquatics center supervisor and recreation center supervisor to recreation services supervisor over aquatics, sports, and special events, and recreation services supervisor over recreation center operations pursuant to the revised job descriptions for those positions and to increase their current annual salaries of the individuals currently holding those positions by \$8,000 effective April 14, 2013. The motion was seconded by Vice Mayor Pfeifer, and carried.

CLAIMS & ADJUSTMENTS

Mayor Joens moved to pay the claims. The motion was seconded by Council Member Elinski, and carried.

RESOLUTION NUMBER 2695—APPOINTING A. DOUGLAS LASOTA AS THE CITY'S PRESIDING MAGISTRATE FOR A TWO-YEAR TERM

Mr. Horton stated he would recommend the council convene into a brief executive session to cover a couple of matters.

Mayor Joens moved to convene into executive session. The motion was seconded by Council Member Norman, and carried with Vice Mayor Pfeifer being absent for the vote.

After discussion under executive session, Mayor Joens moved to resolve back into regular session. The motion was seconded by Vice Mayor Pfeifer, and carried.

Mr. Horton stated over the course of two meetings and many weeks and a lot of due diligence, council directed staff to bring back a resolution reappointing the magistrate for

another two year term and an associated employment agreement. There were a couple of points in the agreement that he wanted to clarify. One is the judge has requested that on his fifth anniversary his contract reflect that he will then begin to accrue five weeks of annual vacation time. Mr. Horton had removed a provision governing the reimbursement of moving expenses thinking that was no longer relevant given that the judge has been here four years, but the judge has indicated he may yet have occasion to relocate his whole family. With the council's consent we would have you approve the resolution with the agreement attached with the caveats of the previous two provisions.

Judge LaSota encouraged everyone to go to the court's new website. All employees were judicial officers who also have ethical responsibilities as well. He looked forward to more years of service with the city.

Council Member Elinski moved to approve Resolution Number 2695 appointing A. Douglas LaSota for a two-year term as city magistrate for the City of Cottonwood, approving the employment agreement as presented with two amendments/corrections: that we would provide 5 weeks of annual vacation leave upon his fifth year anniversary with the city and to reinsert the moving expenses that was taken away from the contract. The motion was seconded by Vice Mayor Pfeifer, and carried.

Mayor Joens requested the Deputy Clerk read Resolution Number 2695 by title only.

RESOLUTION NUMBER 2695

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, RE-APPOINTING A. DOUGLAS LASOTA AS CITY MAGISTRATE AND ESTABLISHING HIS NEW TERM OF OFFICE.

Mayor Joens stated they did not mention that this should be back dated to April 13.

Mr. Horton stated they will make sure that this is implemented.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Norman, and carried. The regular meeting adjourned at 8:55 p.m.

Diane Joens, Mayor

ATTEST:

Matthew McLean, Deputy Clerk

CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of Cottonwood held on May 7, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Matthew McLean, Deputy Clerk

Date