

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD SEPTEMBER 7, 2010, 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 regular meeting to order at 6:00 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Karen Pfeifer, Vice Mayor
Tim Elinski, Council Member
Duane Kirby, Council Member
Linda Norman, Council Member
Terence Pratt, Council Member
Darold Smith, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Steve Horton, City Attorney
Marianne Jiménez, City Clerk
Dan Lueder, General Services General Manager
Rudy Rodriguez, Administrative Services General Manager
Jody Fanning, Police Chief
Tawni Fanning, Utilities Billing Supervisor
Shirley Scott, Transportation Manager

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Mr. James Iacovacci, a local citizen. Mayor Joens presented him with a certificate of appreciation for leading the Pledge of Allegiance.

BRIEF SUMMARY OF CURRENT EVENTS BY MAYOR, CITY COUNCIL AND/OR CITY MANAGER--
THE PUBLIC BODY DOES NOT PROPOSE, DISCUSS, DELIBERATE OR TAKE LEGAL ACTION ON
ANY MATTER BROUGHT UP DURING THIS SUMMARY UNLESS THE SPECIFIC MATTER IS
PROPERLY NOTICED FOR LEGAL ACTION

Mr. Bartosh made the following announcements:

- The cable government access channel had been changed from channel 20 to channel 2. It will show not just Council meetings but other shows that went on related to the city, and Mingus High School football games.
- For Rhythm 'N Ribs, a name band, The Gin Blossoms, had been signed. They were

getting ready to release a new CD and would be starting their new tour in Cottonwood.

- A newsletter was going out in water bills called "Just the Facts". It provided information about what was going on in the city and why the city was doing some of the things it was doing, so there would be a clear understanding for citizens.
- It was harvest season in the Verde Valley. Most of the wineries were harvesting grapes and if people were interesting in volunteering their time, they could use everybody's assistance to get the grapes in.

Council Member Pratt stated he had volunteered to help set up for the Grape Stomp Run. It was a well attended event sponsored by the Wine Consortium.

Council Member Kirby stated he had the opportunity this past week to attend the NACOG Regional Council meeting and immediately following that he attended the Head Start Committee meeting.

Mayor Joens made the following announcements:

- On August 18 she went to Camp Verde and on August 31 she went to Clarkdale to give a Stewards of Public Lands update and present the Arizona Wildlife Federation plaque to those communities.
- On August 21 she went to Sedona to help their community celebrate the dedication of the new Red Rock Road and Mayor Adams, ADOT officials, the Chamber of Commerce up there and Supervisor Chip Davis and Matt Ryan all gave congratulatory talks.
- On the 25th, Vice Mayor Pfeifer, Council Member Norman and she watched the Cottonwood Youth Advisory Commission perform a skit at the League of Cities and Towns Youth Day.
- On Labor Day the Youth Commission did some interviews for the new commission members and invited her to attend those.
- On August 30 she attended the Verde River Basin Partnership meeting. They had gotten Walton Funds to go ahead and do some of the studies that they had hoped to do. She was very excited this group could continue their work trying to preserve the river.

CALL TO THE PUBLIC

There were no comments from the public.

PRESENTATION OF RESULTS OF THE NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY (NAIPTA) RIDERSHIP SURVEY

Mr. Jeff Meilbeck, General Manger of NAIPTA, stated he wanted to share some things that had happened with transit in this area. NAIPTA was the first multi-county public transportation authority. There were three cities, portions of two counties and Northern Arizona University (NAU) all working together to improve transit in this region. It was a political subdivision of the state like a city or county, formed under state legislation. The counties formed the transit authority. Cities and the university joined and then they determined what they would do based on agreements that were made with each other.

One of the key parts about NAIPTA, unlike a city or a county, was it had no funding source of its own. It was funded by member agencies. They leveraged that against federal and state grants. Supervisor Liz Archuleta from Coconino County described it best: it was like a co-op or a transit co-op. It also got fare box returns to leverage grants. The reason why there was NAIPTA was there was the aspect of a regional view. The roads pretty much connected communities. It made sense for busses to connect communities as well and operate on those roads.

Then they had economies of scale. Instead of having redundant service in Flagstaff, in Sedona, and in Cottonwood, and a fleet manager and an operations manager, they could kind of specialize and support each other instead of all doing the same thing in different areas. NAIPTA carried its own insurance.

On the Cottonwood Area Transit status report: Dr. Bob Richards was here, who served on the citizens review commission a couple of year ago. What the citizen review commission came up with and this Council adopted, was to reduce the amount of para-transit trips because they were very expensive trips, then convert to fixed route busses and add a third fixed route with that money so that more people could ride the bus. It didn't cost any more and more people got on. Also added was Sedona commuter service.

In terms of results: demand response service saw a 61 percent decrease from last fiscal year 2009 to fiscal year 2010. Their goal was to have a 50 percent drop. One could see how, year over year by key months, service went down, which was the goal. The vast majority of people who rode para-transit did so for shopping and medical reasons. This was really a lifeline service in the community. And customer satisfaction on a scale of 1 to 7 scored very highly. Pretty much everything was well over 6.

Looking at the fixed route service, the goal was to increase the number of people who rode the fixed route bus. This had not come along as quickly as he would have hoped, however, the trend was definitely in place. Year over year, it was a 48 percent increase. However, if you looked at each month, that increase was expanding.

The type of folks who rode CAT were all over the board. Half were either students or going to work, with 78 percent of workers being employed in Cottonwood. Satisfaction on a scale of

1 to 7 was quite high. Least satisfaction was indicated with the schedule and bus stop locations, but most things were rated very good or excellent.

Verde Lynx was surpassing ridership targets. This was the trend he liked to see in a new transit system. It launched in November and had continued to increase each month. Eighty percent of the people who rode the Verde Lynx bus were going to work. It was different than the CAT system and satisfaction was quite high.

The main point was that working together over the past couple of years, NAIPTA & Cottonwood had had a lot of success in overhauling the system and building new service. They had been reaching their ridership goals and the new facility was opening. Working with Cottonwood staff had been great. Cottonwood staff were very committed and believed in what they did.

APPROVAL OF MINUTES—WORK SESSION OF AUGUST 10, 2010 & REGULAR MEETING OF AUGUST 17, 2010

Council Member Kirby moved to adopt the minutes. Council Member Elinski seconded the motion, which carried unanimously.

OLD BUSINESS—None

CONSENT AGENDA

WINE FESTIVAL LIQUOR LICENSE APPLICATION FROM ALCANTARA L.L.C. & PILLSBURY WINE COMPANY NORTH FOR THE RHYTHM & RIBS EVENT SCHEDULED FOR OCTOBER 2, 2010, TO BE HELD AT THE COTTONWOOD KIDS' PARK LOCATED AT 350 SOUTH 12TH STREET

WINE FESTIVAL LIQUOR LICENSE APPLICATIONS FROM ALCANTARA, L.L.C., FREITAS VINEYARD, JAVELINA LEAP VINEYARD & WINERY, JEROME WINERY, PAGE SPRINGS CELLARS, AND PILLSBURY WINE COMPANY NORTH FOR THE AIRFEST EVENT SCHEDULED FOR OCTOBER 16, 2010, AT THE COTTONWOOD AIRPORT, LOCATED AT 1101 WEST MINGUS AVENUE

LIQUOR STORE (SERIES 9) SAMPLING PRIVILEGES APPLICATION FOR JANICE L. MARTIN, AGENT FOR SAFEWAY, INC., LOCATED AT 1635 EAST COTTONWOOD STREET

Mayor Joens asked if there was any item a member of the Council or the public wanted pulled off for discussion. There were no requests to pull items from the Consent Agenda for discussion.

Council Member Pratt moved to approve the Consent Agenda. Council Member Norman seconded the motion, which carried unanimously.

NEW BUSINESS

DISCUSSION, CONSIDERATION, AND POSSIBLE LEGAL ACTION TO AUTHORIZE THE CITY'S UTILITY DEPARTMENT TO BEGIN ISSUING COMBINED BILLS FOR WATER AND WASTEWATER SERVICES; TO DEVELOP AND IMPLEMENT AN EQUALIZED/ ANNUALIZED PAYMENT PLAN; AND TO PROVIDE AN OPPORTUNITY FOR UTILITY CUSTOMERS TO MAKE VOLUNTARY CONTRIBUTIONS TOWARD UTILITY ASSISTANCE FOR QUALIFIED INDIVIDUALS

Mr. Lueder stated combining the sewer and water bills was much more complicated than anticipated, but they were on the road to doing so. The other two items had been brought up at the rate hearing on August 17. Budget billing would allow somebody to average out their bills over the year. The last item was if someone wanted to donate money which would go into a fund to assist low income customers. The second two could be implemented rather quickly. The combined billing would take 2-3 months work to hammer out. They had to compare the water and sewer bills at the same address that might be paid for by different people. They had done this about a year and a half ago and, if approved tonight, would start the process again to make sure that the proper person got the water and sewer bills together.

Council Member Pratt commended the Utility Department for its quick response to the public's requests. He supported the changes.

Mayor Joens stated she really appreciated this.

Council Member Kirby asked if arrangements had been made with a specific agency to take the funding that would come from additions to bills.

Mr. Lueder stated for now we would have Mr. Rodriguez put it into a separate account. While it was a noble idea, they wanted to make sure there were contributions coming in that would help. Then they could come back to the Council and determine how exactly to disburse the funds. He had talked to Prescott Valley and the first year they collected a little under \$10. Once we saw what the participation was, direction would be sought from the Council.

Council Member Kirby asked if the water bills would be used to tell people about the new things.

Mr. Lueder stated there would be an informational newsletter about all three things. In September they would put out the new Cottonwood newsletter. In October they would send out an explanation in each and every water bill.

Council Member Elinski stated he had been asked by people if they would be able to pay by credit card.

Mr. Lueder stated bills could be paid by automatic withdrawal or at the office. Mr. Rodriguez was looking at on-line payments.

Mayor Joens stated the Council had had quite a lengthy presentation on that within the past year. At that time the Council decided since the expense was so high they would postpone it.

Mr. Lueder stated bills could be paid with an ACH, an automatic withdrawal from their checking account, they could call in over the phone with a credit card and actually give that number, or they could come into the office.

Council Member Smith asked if there would be an additional charge for use of credit cards.

Mr. Rodriguez stated it seemed when we go to on-line pay, everyone along the line had to get a bite on it. DataWest had to get a bite on it. The credit card company had to get a bite on it and the bank that issued the credit card. All of a sudden it was not just 1 or 3 percent. It became 4, 5, and 6 percent, on top of DataWest having to post everything. Unfortunately, DataWest would not be able to post just the individuals that would like to use it. They had to post up every single account. That was where the big cost came in.

Council Member Pratt moved to authorize staff to begin issuing combined bills for water and wastewater service as soon as practicable; to develop and implement an equalized/annualized payment option for water and wastewater services; and to provide an opportunity for utility customers to contribute to a utility assistance fund for qualified low-income utility customers. Council Member Kirby seconded the motion, which carried unanimously.

FINANCIAL OPTIONS FOR THE COTTONWOOD AREA TRANSIT (CAT) SYSTEM OPERATIONS

Ms. Scott stated due to the economic times, the Local Transportation Assistance Funds (LTAF II) not coming in, and one of our partners not bringing in their local share, we had to come up with some options for the Council to look at regarding the financial problems they were having. CAT started its budget in January 2010 when they submitted their application to the Arizona Department of Transportation (ADOT). ADOT then came back and approved their budget with all the Section 5311 programs around July and August. Our local share for Yavapai County was \$67,800 and for Clarkdale it was \$46,981, totaling \$114,841. When the budget came in, the county was supposed to be bringing in \$77,381 and Clarkdale \$53,572, which gave a total of \$130,953. The difference that our local shares should have brought in was \$9,521 and Clarkdale \$6,591, which was a total of \$16,112.

When they looked at the budget in August, Yavapai County did not come in with their whole local share. They could only come up with \$27,000 and Clarkdale came in with \$45,681 which was a total of \$73,981, which gave us a short fall of \$56,972. There were three different options presented because of the shortfall.

Option Number 1 was to cut Saturday service. Saturday service was just Americans with Disabilities Act (ADA) service, open to all the public on Saturday. It cost \$5 to get on board. Most of those riders now had decided to go during the week for their ridership because it only cost them \$2. Most of our ridership had gone down on Saturday. Our savings, per year,

would be \$13,200 if we cut Saturday service out as of October 1.

Option Number 2 was to go across the board and cut out service from 5 p.m. to 6 p.m. on our fixed route, and not have ADA service from 5 p.m. to 6 p.m. If we did not have a fixed route we were not required to do ADA service. These savings would be \$41,085. Our total was \$54,285. We still had a shortfall of \$2,687.

Option Number 3 was to cut service from 5 p.m. to 6 p.m. We had 3 drivers that drove those routes in the evening. We did not really want to cut their hours because they would be down to 35 hours a week instead of 40. We were going to bring them in and have them wash the whole fleet during the week, 3 days a week. We now have a current vendor that we had a contract with. We would give them a 30-day notice. By doing all that and keeping our full-time staff we would be saving \$8,400, which would bring us over that shortfall.

NAIPTA then decided to talk to ADOT to see if they could get some emergency funding to continue to have our whole service for the next year. They met with Yavapai County last week and told them what was going on. ADOT did go ahead and approve emergency funding. If the Council approved, we could go ahead and get that ADOT emergency funding for one more year. Then we would sit down at the table with all our partners and see what we could do throughout the year to not have to cut the services that they were proposing.

In summary, Option Number 1 would cut out Saturday service, bring in the part-timers from 5 to 6 p.m., and cut service from 5 to 6 p.m. all across the board. It was not as efficient. Our routes were increasing day by day. Our partners still had to try to maintain their funding levels.

Option Number 2 was reduction of service all across the board, only running during peak hours, 6 hours a day, and cutting Saturday service.

Option Number 3 was to sustain our service for one more year and to let our partners know what was going to happen next year if the economy stayed the same or if they did not bring in their local share.

Council Member Elinski asked for an explanation of the funding that would come from ADOT and whether it would be free money.

Ms. Scott stated it would be part of the American Recovery & Reinvestment Act (ARRA) funding spread across the board with the other Federal Transit Administration, Section 5311 programs. It would be free money. The funding had been received awhile back, which some of the programs could not use. ADOT put it in their operations funding and spread it across the Section 5311 programs. It would be only for operations.

Council Member Pratt stated Option Number 3 would have the least affect on the greatest number of people. He asked if that was correct.

Ms. Scott stated that was correct. It would take the ADOT funding and cut Saturday service. You were talking about 4-5 people riding who would be moved around the schedule during the week.

Mayor Joens stated the other options penalized Cottonwood residents.

Council Member Smith asked if Option Number 3 could be combined with having staff still wash the busses which would be more than a \$5,600 savings.

Ms. Scott stated yes it would be. They wanted to keep the service going the way it was going for the year and not try to cut any more than Saturday service right now. If we kept the service going, there would be no time for those drivers to come in and wash their vehicles because they would be driving from 5 to 6 already.

Council Member Elinski stated he could see how it would be kind of unfair to Clarkdale because they did come up with a bigger percent of what they had promised to what the county did. He asked if there was any way the county would be willing to reimburse us for the services rendered and if it was it was even an option.

Ms. Scott stated the County had no funds at all except the \$27,000.

Council Member Elinski asked if in the future the economy turned around, would there be any kind of reimbursement.

Ms. Scott stated probably not.

Council Member Elinski stated so we just provided the service for free. It would seem to incentivize Clarkdale for next year to say they could not do it either.

Council Member Smith stated it had been mentioned the normal pricing was \$2 and then went to \$5. He asked if the \$3 made that much difference.

Ms. Scott stated \$3 made a lot of difference when people were on low income. That was the reason they rode during the week, because they could catch an ADA service bus for \$2. On Saturday it was open to anybody to ride the bus for \$5.

Council Member Norman stated she preferred Option Number 3 to see how it would go this year. If it was going to be the same way next year, then we would need to let the county and Clarkdale know.

Ms. Scott stated come January 1 they would start looking at their budget again. They would make sure they talked to the county and gave them these options.

Mayor Joens stated it kind of showed that over, and over, and over again this Council did promote regionalism and worked on a regional basis.

Council Member Norman stated they had worked so hard to get these routes increased and things running smoothly, and to get the Verde Lynx flowing, then the economy took a dump and now we had to figure out how to pay.

Mayor Joens asked if there were comments from the public, and there were none.

Mr. Bartosh stated he just wanted to acknowledge Mr. Jeff Mielbeck's efforts. Through his relationship with ADOT he was able to come up with this extra money to keep the program going this year.

Mayor Joens stated she certainly supported that regional outlook and supported Option Number 3.

Council Member Smith moved to approve Option Number 3 to receive emergency funding from ADOT for one additional year to keep the system whole and cut Saturday service. Council Member Norman seconded the motion, which carried. Council Member Kirby was absent during the vote.

RESOLUTION NUMBER 2531—APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY FOR PROVIDING PUBLIC TRANSPORTATION SERVICES FOR RESIDENTS OF YAVAPAI COUNTY

Ms. Scott stated this was the Intergovernmental Agreement (IGA) with Yavapai County for the \$27,000 for their local share that was just discussed.

Council Member Pratt stated this went along with the Council approving Option Number 3.

Council Member Pratt then moved to approve Resolution Number 2531 with Yavapai County to approve transportation for Yavapai County residents. Council Member Elinski seconded the motion, which carried. Council Member Kirby was absent during the vote.

Mayor Joens asked the City Clerk to read Resolution Number 2531 by title only.

RESOLUTION NUMBER 2531

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH YAVAPAI COUNTY, FOR PUBLIC TRANSPORTATION SERVICES FOR YAVAPAI COUNTY RESIDENTS.

RESOLUTION NUMBER 2532—APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF CLARKDALE FOR PROVIDING PUBLIC TRANSPORTATION SERVICES FOR RESIDENTS OF THE TOWN OF CLARKDALE

Ms. Scott stated this also went along with the other item just discussed. It was the local

share Clarkdale would be contributing from October 1 to September 30 for \$46,981.

Council Member Norman moved to approve Resolution Number 2532 authorizing the city to enter into an IGA with the Town of Clarkdale, for purposes of transportation service to and within the town. Council Member Smith seconded the motion, which carried unanimously.

Mayor Joens asked the City Clerk to read Resolution Number 2532 by title only.

RESOLUTION NUMBER 2532

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF CLARKDALE, ARIZONA, FOR PUBLIC TRANSPORTATION SERVICES FOR CLARKDALE RESIDENTS.

RESOLUTION NUMBER 2534—APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE STATE OF ARIZONA DEPARTMENT OF TRANSPORTATION FOR PROVIDING FEDERAL FUNDING FOR THE OPERATION OF THE COTTONWOOD AREA TRANSIT

Ms. Scott stated this was the Intergovernmental Agreement (IGA) formed with ADOT for transportation services with our partners starting October 1 to September 30, 2011, for \$678,507.

Mayor Joens stated she certainly liked that \$600,000, almost \$700,000, gift that we had to provide this transportation service which really added to the quality of life in our community for people who were in need, for parents, and for college students.

Council Member Pratt stated this also seemed to go along with Option Number 3 that they approved.

Council Member Pratt then moved to approve Resolution Number 2534 with the Arizona Department of Transportation (ADOT) to provide federal funding for the operation of the Cottonwood Area Transit (CAT) system. Council Member Norman seconded the motion, which carried unanimously.

Mayor Joens asked the City Clerk to read Resolution Number 2534 by title only.

RESOLUTION NUMBER 2534

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, THROUGH ITS DEPARTMENT OF TRANSPORTATION, TO PROVIDE FUNDS FOR THE OPERATION OF THE COTTONWOOD AREA TRANSIT SYSTEM.

APPROVAL TO RETIRE THE COTTONWOOD POLICE DEPARTMENT CANINE "BUSTER" AND

RELEASE HIM TO HIS HANDLER, SERGEANT KEVIN MURIE

Chief Fanning stated Buster was one of the police canines which had been with the department for 6 years. He had been assigned to officer Murie who had been promoted to sergeant. Sergeants typically did not work with canines. Buster recently had two surgeries, including having his spleen removed making him not a viable candidate for retraining to a new officer. His duty time was extremely limited. Any kind of further injury could cause the dog to lose his life. Sergeant Murie asked since he had been the animal's handler, that he be allowed to take custody of the dog and retire him to his custody. There was a form relinquishing all liability from the city and Sergeant Murie would be taking over the responsibility of the dog.

Vice Mayor Pfeifer asked if Buster was the bite dog as well as the drug dog.

Chief Fanning stated Buster was just a drug dog.

Vice Mayor Pfeifer asked if there was some way we could have him here and give him a commendation for service, like we did for other employees.

Chief Fanning stated he was sure it could be arranged.

Mayor Joens stated the Council would like to invite him to bring Buster in for a certificate or maybe a dog biscuit.

Chief Fanning stated he would love that.

Council Member Kirby moved to authorize the Cottonwood Police Department to retire and release a police dog named Buster to his handler, Sergeant Kevin Murie, provided that upon Buster's release from the department the City of Cottonwood would be relieved of any future liability for actions of this animal. Council Member Elinski seconded the motion, which carried unanimously.

ACCEPTANCE OF A YAVAPAI COUNTY COMMUNITY FOUNDATION GRANT AGREEMENT TO ASSIST IN THE PURCHASE OF, AND VETERINARY EXPENSES FOR, A NEW NARCOTICS CANINE

Chief Fanning stated after finding out the department would probably have to retire Buster, they had applied for a grant with the Yavapai County Community Foundation which had been extremely kind to the police department in years past. They were one of the first people to give money for our first canines many years ago. They graciously approved us for \$5,000 to assist in the purchase of a new dog and paying for its veterinary bills. Officer Cory Shilling would be the new canine officer. This would be a narcotics only dog. They had other funding they would be using for the training of the canine. This money would be going toward the purchase and veterinary bills.

Council Member Smith asked how long it would be before we got a new dog.

Chief Fanning stated it was not a very speedy process. They had to pick one out and decide which breed was most desirable. It would take a little while before they purchased it.

Council Member Smith asked what they would do in the meantime.

Chief Fanning stated they still had one dog in service. Dakota was a dual purpose dog; both a narcotics and protection animal.

Council Member Smith asked if Dakota was the one that a private party gave the funding for.

Chief Fanning stated it was a large portion, yes.

Mayor Joens stated it was \$5,000.

Council Member Pratt stated it would seem foolish to turn down a \$5,000 grant. It was something that would help our police.

Mayor Joens stated she thought the canine was very important. She asked if the police stopped a car they felt had drugs, did the drug officer have to be called and if he was on call all the time.

Chief Fanning stated they tried to make sure there was a canine out at all times.

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

Council Member Pratt moved to approve the Yavapai County Community Foundation grant agreement, contract number 20111921, and authorize the police chief to sign said contract. Council Member Norman seconded the motion, which carried unanimously.

SPECIAL EVENT LIQUOR LICENSE APPLICATIONS FROM THE COTTONWOOD CHAMBER OF COMMERCE FOR THE RHYTHM & RIBS EVENT SCHEDULED ON OCTOBER 2, 2010, AT THE COTTONWOOD KIDS' PARK LOCATED AT 350 SOUTH 12TH STREET, AND FOR A BUSINESS NETWORKING EVENT SCHEDULED FOR OCTOBER 21, 2010, AT PANDORA'S GAME BOX LOCATED AT 580 EAST STATE ROUTE 89A

Ms. Jiménez stated these were two separate applications submitted by the Chamber of Commerce. One was for the Rhythm 'N Ribs event scheduled for October 2 and the other for a business networking event on October 21 at Pandora's Game Box.

Vice Mayor Pfeifer, who was a Board Member of the Chamber, declared a conflict of interest.

Council Member Kirby moved to recommend approval of the Special Event Liquor License applications submitted by the Cottonwood Chamber of Commerce for events scheduled for October 2, 2010, and October 21, 2010. Council Member Elinski seconded the motion, which carried. Vice Mayor Pfeifer abstained from voting.

CLAIMS & ADJUSTMENTS

Council Member Elinski questioned what the payment to Pender Engineering was for.

Mr. Rodriguez stated he would have to research it since it could be for any type of engineering.

Council Member Elinski asked if he could bring it back at the next meeting.

Mr. Rodriguez stated he could just e-mail it and would get it out really quickly.

Mayor Joens asked that he e-mail the entire Council and copy the public record on that.

Council Member Kirby moved to approve the claims. Council Member Elinski seconded the motion, which carried unanimously.

EXECUTIVE SESSION--CITY ATTORNEY'S REVIEW--PURSUANT TO A.R.S. § 38-431.03.(A)(1) 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; THE COUNCIL MAY VOTE TO CONVENE INTO EXECUTIVE SESSION SUBJECT TO THE CITY ATTORNEY'S RIGHT TO COMPEL THE COUNCIL TO DISCUSS THIS MATTER IN OPEN MEETING

Council Member Kirby moved to resolve into executive session. Council Member Elinski seconded the motion, which carried unanimously.

After discussion of the City Attorney's annual evaluation under executive session, Council Member Kirby moved to resolve out of executive session. The motion was seconded by Council Member Smith, and carried unanimously.

Council Member Kirby moved to retain Steve Horton as the City Attorney for another term of one year. The motion was seconded by Council Member Elinski, and carried unanimously.

ADJOURNMENT

Council Member Linda Norman moved to adjourn. The motion was seconded by Vice Mayor Pfeifer, and carried unanimously. The regular meeting adjourned at 7:55 p.m.

Diane Joens, Mayor

Marianne Jiménez, City 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 September 7, 2010. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date