

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD JANUARY 15, 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 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
Terence Pratt, Council Member
Linda Norman, Council Member
Jesse Dowling, Council Member

COUNCIL MEMBERS ABSENT

Ruben Jauregui, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jiménez, City Clerk
Steve Horton, City Attorney
Morgan Scott, Development Services Operations Manager
Rudy Rodriguez, Administrative Services General Manager
Dan Lueder, Development Services General Manager

George Gehlert, Planner
Charlie Scully, Planner

PLEDGE OF ALLEGIANCE

Adrienne Martin, Team Leader and Outreach Coordinator for the Yavapai County AmeriCorps Project, led the pledge.

BRIEF SUMMARY OF CURRENT EVENTS

Mr. Bartosh announced the parking lot behind Orion Bread Company would be opened this week, and the Cottonwood Police & Utility Departments purchased a system to create an emergency notification call-back system which people could opt in online or through the city's web site to be notified in the case of an emergency or other general community notifications such as road closures and temporary utility outages or weather alerts.

Council Member Pratt stated he attended the Verde Valley Land Preservation Institute meeting, and this is the first week of this semester at Yavapai College and it was not too late to register for classes.

Mayor Joens reminded everyone they can watch council meetings and Inside Cottonwood at www.verdevalleytv.com or Suddenlink or Cable One channel 2. In December she attended a couple of our public safety board meetings and the annual alternate pension fire board

meeting. We had Toys for Tots on December 21 this year and she thanked the Cottonwood Fire Department who helped put the bikes together. The council held its retreat on the 7th and worked hard on its goals and objectives for the coming year and the strategic plan would be coming to an official meeting where the public will be able to comment on it. On January 9 she traveled to the VA Center with Roger Biggs and Sharon Caldwell to take more than \$20,000 worth of clothing and personal items for the veterans which was donated by members of the community. On January 10 she had lunch with Mayor Adams of Sedona to discuss how our communities can work together. On Saturday the 12th she attended the Arizona State Parks Foundation strategic planning session on how the foundation can help state parks. She will be attending the Arizona Association of Economic Development to talk to the legislature and has a meeting with Rep. Thorpe and hopes to meet with all our new legislators. Afterwards she has been invited to participate in the Corals and Brady's Business Journal and the Arizona Commerce Authority's second annual business leadership event to discuss the ins and outs of succeeding in the business world. Tomorrow was the Yavapai County Water Advisory Committee meeting and the Prescott communities met and Mayor Kuykendall sent WAC members a letter asking to hold a retreat to discuss whether or not to keep WAC which she read to the council.

PROCLAMATION-DECLARING THE MARTIN LUTHER KING, JR., HOLIDAY A DAY OF SERVICE IN COTTONWOOD

Mayor Joens proclaimed January 21, 2013, the Martin Luther King, Jr., holiday a day of service in Cottonwood, and presented the proclamation to Adrienne Martin, Team Leader and Outreach Coordinator for the Yavapai County AmeriCorps Project

CALL TO THE PUBLIC

Bonnie Ruechel voiced her displeasure of the business registration fee increase and that business owners were not sent a notice regarding the increase. She also stated she had not received her business registration renewal notice until January.

APPROVAL OF MINUTES-Regular Meetings of November 6, and December 4, 2012

Council Member Pratt moved to approve the minutes of November 6 and December 4, 2012, as presented. The motion was seconded by Council Member Norman, and carried unanimously.

PRESENTATION BY WILLIAM EATON REGARDING THE OLD TOWN CENTER FOR THE ARTS; ITS OPERATION, PROGRAMMING, FUTURE GOALS, ECONOMIC IMPACT, VALUE OF ARTS IN THE COMMUNITY, AND POTENTIAL SUPPLEMENTAL FUNDING BY THE CITY

Mr. Eaton reviewed the history of the Old Town Center for the Arts building which was opened in 2008, the renovations that had been made, its operation, programming, future goals, the value of art in the community, its economic impact on the community, and partnership opportunities. He indicated he would be returning to the council with a request for the city to assist the Center with funding.

Mayor Joens stated we were very lucky to have a family like Christine and William Eaton who had poured their hearts into the center, and asked Mr. Eaton to share a little about his guitar school and his background.

Mr. Eaton stated he wanted to say that this was a serendipitous that happened and they didn't plan from day one to create an art center. His background was when he was going to business school he applied for a job as a programmer at Stanford and did programming for a 10,000 seat amphitheater, so he had some experience with that. He left school and started a guitar making school with two other gentlemen and has been doing that since 1975. They built a new school in Phoenix. During that process he builds his own guitars and does a little bit of performing and touring and recording with Canyon records.

Council Member Pratt stated they had brought great cultural events to our community and has helped to make Cottonwood a destination like the wine industry and it gives people something else to do; they were going from their place to the wine tasting rooms. He was a little biased because he had been to a few shows and participated and read a few poems in one of their poetry reading shows and he appreciated what he was doing and supported him wholeheartedly.

Council Member Elinski asked if they were a 501c(3) or was it through Cornucopia that they received their donations.

Mr. Eaton stated Cornucopia was 501c(3) and they had thought of transitioning, but part of it was time as running a school in Phoenix was a full time job and trying to run the center was another full time job. They had done this because it was a passion and they enjoyed it. Cornucopia gave them all the latitude that they need for fundraising and through talks with Doug they would like to stay closer to home on some of these events and have some of these partnerships as well for fundraising.

Susan Carol, a Cottonwood resident, and Laurie Verdeir a Cornville resident, spoke in favor of the Old Town Center for the Arts and encouraged the city to support the Center financially.

At this point in the meeting Mayor Joens moved the Yavapai College Agreement item up on the agenda.

AGREEMENT WITH YAVAPAI COMMUNITY COLLEGE TO PROVIDE RECLAIMED WATER FOR THE COLLEGE TO IRRIGATE ITS VINEYARD

Council Member Pratt declared a conflict as he is employed by Yavapai College, and stepped down from the council dais.

Mr. Bartosh stated this had been going on for at least three years with discussions with the college about providing reclaimed water for the college; primarily for the irrigation of their new vineyards. It has taken time to do it because it was an expensive project but he thought they found a way to successfully make it happen. This was a project where there had been fantastic cooperation between the college and the city both recognizing this was a very

sustainable way to provide water to their vineyards.

Mr. Lueder stated the agreement will have city staff designing the line and managing the construction of it. There was a clause in the contract that should the college decide not to construct the line after the project was designed, the college would reimburse the city for any reasonable costs for the design. Once the design is approved and the college has signed off on it the city will solicit quotes from our underground job order contractors for construction of the line. The college will take the lead on obtaining any easements needed and will deposit funds with the city to construct it and the city will pay the job order contractors. Once the line is constructed, inspected, and everyone is in agreement the city will turn over all rights to this line off of the wastewater plant property to the college. The college will assume maintenance responsibilities for the reclaim line downstream of the meter which will be on the wastewater plant property. Should they determine they want additional treatment over and above what ADEQ requires the city to treat the reclaim the college will be responsible for that treatment. One of the important conditions of the contract is it would be for 10 years and the college has requested the current rate of 92 cents per thousand gallons of reclaim would be maintained under the contract.

Mr. Elinski stated he looked the contract over and he was excited to see we have an excellent use for reclaimed water and it was a wonderful opportunity.

Mr. James Perey, Dean of the Verde Valley campus, addressed the council and stated it was very difficult to build and launch programs without partnerships. One of the main focuses of executive leadership in the college is economic development and this plays into that piece as you look at leveraging resources and technology expertise. This was a win-win for everyone. He applauded the city for thinking farther down the road in infrastructure for reclaimed water. They only way they would be able to build out these vineyards is to do it on reclaimed water. Yavapai College was really thankful for all the work the city has done for it and looked to the future for further partnerships and collaboration.

Mayor Joens stated this was all about collaborating and was a regional effort. Everything the college does, the Verde Valley campus, was for all of the residents of Yavapai County. On the other hand, the different steps we've taken in conservation have allowed us to pump one-third less out of the aquifer than we did when the (water) companies were privately owned. This was just another step the city was taking that works for the region and makes us able to participate as a region in the southwest wine center.

Mr. Bartosh stated another thing he would like to share with the citizens is the city currently does treat all the wastewater that is produced by the college, and this was an opportunity to give some of that wastewater back a little cleaner.

Vice Mayor Pfeifer moved to approve the agreement with Yavapai County Community College District to provide reclaimed water for irrigation. The motion was seconded by Council Member Elinski, and carried.

OLD BUSINESS

ORDINANCE NUMBER 593--AMENDING ARTICLE III, PROCEDURES, OF THE COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 309. HILLSIDE DEVELOPMENT STANDARDS; SECOND AND FINAL READING

Mr. Scully stated this was an amendment to the Zoning Ordinance adding a new section for hillside development standards. This item was considered by the council at a number of other meetings and discussed at length. The Planning and Zoning Commission has considered this item during their meetings on numerous occasions and recommended approval. Copies of the draft had been sent out to various engineers, land surveyors, large land owners and developers who had a chance to review this. If approved tonight it will take effect in 30 days.

Council Member Pratt moved to approve Ordinance Number 593. The motion was seconded by Council Member Dowling and carried unanimously.

Mayor Joens requested the City Clerk read Ordinance Number 593 by title only:

ORDINANCE NUMBER 593

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING ARTICLE III, PROCEDURES, OF THE COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SECTION 309. HILLSIDE DEVELOPMENT STANDARDS.

CONSENT AGENDA--The following items are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY RUTH MARIE WICKS, APPLICANT FOR THE VERDE VALLEY CONCERT ASSOCIATION, FOR AN EVENT SCHEDULED FOR FEBRUARY 20, 2013, AT COUNTRY BANK LOCATED AT 597 EAST STATE ROUTE 89A.

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY KYLA ALLEN, APPLICANT FOR THE ADOPT FOR LIFE CENTER FOR ANIMALS, FOR A FUNDRAISER DINNER SCHEDULED FOR FEBRUARY 16, 2013, AT THE COTTONWOOD RECREATION CENTER LOCATED AT 150 S. 6TH STREET

Council Member Norman moved to approve the Consent Agenda. The motion was seconded by Council Member Elinski and carried unanimously.

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

APPOINTING LYNN RIORDAN AS A CIVIL TRAFFIC HEARING OFFICER FOR THE COTTONWOOD MUNICIPAL COURT

Judge LaSota introduced Ms. Riordan a member of the court staff and reviewed her work history, training, and experience. He was requesting she be appointed for a three-year term.

Council Member Elinski moved to appoint Lynn Riordan as a Civil Traffic Hearing Officer for the Cottonwood Municipal Court for a three-year term. Motion was seconded by Council Member

APPOINTING RICCI VERGARA AS A CIVIL TRAFFIC HEARING OFFICER FOR THE COTTONWOOD MUNICIPAL COURT

Judge La Sota introduced Ms. Vergara a member of the court staff and reviewed her work history, training, and experience. He requested she be appointed for a three-year term.

Council Member Pratt moved to appoint Ricci Vergara as a Civil Traffic Hearing Officer for the Cottonwood Municipal Court for a three-year term. Motion was seconded by Council Member Norman, and carried unanimously.

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY LANA TOLLESON, APPLICANT FOR THE COTTONWOOD CHAMBER OF COMMERCE, FOR A BUSINESS MIXER SCHEDULED FOR FEBRUARY 21, 2013, AT THE OLD TOWN CENTER FOR THE ARTS LOCATED AT 633 NORTH 5TH STREET

Vice Mayor Pfeifer declared a conflict of interest as she is employed by the Chamber, and Council Member Pratt declared a conflict of interest as he is a member of the Chamber board. Both council members stepped down from the council dais.

Council Member Norman moved to approve the special event liquor license application for the Chamber of Commerce for a business mixer scheduled for February 21, 2013, at the Old Town Center for the Arts. The motion was seconded by Council Member Elinski and carried.

RENEWAL OF THE BIOSOLIDS HAULING AND DISPOSAL CONTRACT FOR THE WASTEWATER TREATMENT PLANT WITH D&K FARMING ENTERPRISES, LLC.

Mr. Lueder stated in November of 2011 the council awarded the contract to D&K for disposal of our biosolids. The contract allows, with justification, for a three percent price increase at renewal. Staff reviewed the letters sent by D&K and felt the price increase was justified.

Vice Mayor Pfeifer moved to approve renewal of the biosolids hauling and disposal contract for the wastewater treatment plant with D&K Farming Enterprises, LLC, with a three percent increase in compensation. The motion was seconded by Council Member Dowling, and carried unanimously.

AWARD OF BID FOR REMOVAL AND REPLACEMENT OF THE ROTATING BEACON AND WINDSOCK AT THE COTTONWOOD AIRPORT

Mr. Scott stated the council may remember the city received a grant from ADOT aeronautics division for approximately \$20,000 to replace the rotating beacon and windsock at the airport. Our airport beacon was one of the oldest structures and was well over 100 years old. The beacon would be replaced with a newly refurbished beacon which was the same style. The existing 18 inch diameter, 6 feet long, windsock would be replaced by a 36 inch diameter windsock, 9 feet long, which many pilots have requested as the existing windsock wasn't visible. The city went out to bid for the project and a local contractor, Jackson Constructors, was the low bidder.

Mayor Joens stated it was always nice to have a local company win the bid.

Council Member Elinski moved to approve the bid from Jackson Kinsi Constructors in the amount of \$19,602.53 for the removal and replacement of the rotating beacon and windsock and accept their trade-in amount on the old beacon in the amount of \$5,200 for a new cost of \$14,402.53. The motion was seconded by Vice Mayor Pfeifer and carried unanimously.

AWARD OF BID & APPROVAL OF A CONTRACT WITH OFFSITE SWEEPING LLC, FOR CITY STREET SWEEPING SERVICES

Mr. Scott stated last year during budget time the city was considering purchasing a new sweeper which would have been over \$130,000 and we chose to go out to bid for this. Staff drafted a contract and went out to bid. Offsite Sweeping out of Phoenix was the low bid and all their references were happy with their work.

Mayor Joens stated she looked at the map and wanted to be sure we were covering most of the bike lanes in the city.

Mr. Morgan stated they were covering the majority of the bike lanes and all collector and arterial streets. We were responsible for sweeping state highways and would sweep 260 and 89A within the city limits. We will keep our sweeper for residential streets when it's needed. This was a per lane mile contract and if in the future we come up with a street we missed or would like to see swept that would be up to the council to consider. The streets would be swept once a month and there was an option to go down to a minimum of 10 times per year if staff felt there was no need to sweep a certain month we could save on costs a little bit.

Council Member Pratt moved to approve the contract with Offsite Sweeping LLC, in the amount of \$14,486.40 for annual street sweeping services, and \$160 per hour for emergency and/or heavy debris street sweeping services. The motion was seconded by Council Member Norman and carried unanimously.

REJECTION OF ALL BIDS RECEIVED IN RESPONSE TO THE CITY'S REQUEST FOR WEED ERADICATION SERVICES AND DIRECTING STAFF TO RE-ADVERTISE FOR BID REQUESTS.

Mr. Scott stated they chose to go out for contract to take care of all weed eradication this year and did a city-wide contract including water and wastewater facilities, city parks, joint contracts with the parks and recreation department, and city roads. The low bidder did not bid the contract correctly; however, we liked what they suggested. Staff would like to recommend the council reject all bids and re-write the contract to something they think will save the city some more funds by reducing the number of sprayings per year and have the contractor warranty the sprays if any weeds come up in the areas he's sprayed. After reviewing it with contractors since the bid opening it appears to be a much better solution to our weed problem.

Council Member Norman moved to reject all bids received for weed eradication services and direct staff to re-advertise the request for bids. The motion was seconded by Vice Mayor Pfeifer and carried unanimously.

RESOLUTION NUMBER 2677--PROPOSING A PERMANENT ADJUSTMENT TO THE STATE IMPOSED 1979-80 BASE EXPENDITURE LIMITATION OF THE CITY OF COTTONWOOD

Mr. Rodriguez every four years we take Home Rule to our voters which has been going on since 1981 and every four years we overwhelming get it passed. The last time we did this was in May 2009 and it passed with 62 percent of the vote. One of the reasons we have been doing this is since 1979 we have grown quite a bit and were one of the few municipalities in the Verde Valley that are full-service communities. We have a fire department, a police department, we own a water company facility, and own the sewer facility. We also have a beautiful recreation center. What this basically does is increases the starting point of our calculations for our own Home Rule. Currently our 1979-80 fiscal year estimate was about 1 million dollars. We're asking to increase that to 8 million dollars. What that does is increase our expenditure limitation to where the city can actually function. If by any chance the city was to fail a Home Rule election we would have to cut services drastically. All staff was asking at this point was council to approve that this go on the ballot at the May 21, 2013, general election.

Mayor Joens stated the way she understands it is it doesn't change any fees or taxes but allows you to use your money to provide the services, otherwise it would just sit in the bank and you couldn't provide the services.

Council Member Pratt stated the other important point here is all we are doing if we approve this is putting it to the voters and letting them make the choice.

Vice Mayor Pfeifer moved to approve Resolution Number 2677, proposing a permanent adjustment to the city's 1979/80 base expenditure limitation and to place this proposition on the May 21, 2013, general election ballot. The motion was seconded by Council Member Norman and carried unanimously.

Mayor Joens requested the City Clerk read Resolution Number 2677 by title only:

RESOLUTION NUMBER 2677

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, PROPOSING A PERMANENT ADJUSTMENT TO THE 1979-80 BASE EXPENDITURE LIMITATION OF THE CITY OF COTTONWOOD.

CLAIMS & ADJUSTMENTS

Council Member Dowling declared a conflict on this item as his employer was listed on the claims list for payment.

Council Member Pratt moved to approve the Claims and Adjustments. The motion was seconded by Council Member Elinski and carried.

ADJOURNMENT

Mayor Joens 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

ATTEST:

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 January 15, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date