

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD OCTOBER 27, 2010, AT 10:30 A.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

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CALL TO ORDER AND ROLL CALL

Mayor Joens called the special meeting to order at 10:30 a.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  
Darold Smith, Council Member

COUNCIL MEMBER ABSENT

Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Steve Horton, City Attorney  
Marianne Jiménez, City Clerk  
Iris Dobler, Human Resources Manager

AWARD OF CONTRACT FOR THE CITY'S PROSECUTING ATTORNEY SERVICES AND APPROVAL OF AGREEMENT

Mr. Horton reviewed the notification of Robert Gaffney terminating his prosecution services for the city and staff's actions in regards to receiving proposals for a new prosecuting attorney. The selection committee had reviewed and scored nine proposals that were submitted, and was recommending the selection of Terry R. Sutton, dba Sutton Law P.C. Mr. Horton then introduced Mr. Sutton to the Council.

Mr. Sutton informed the Council that he was excited to become a part of the Cottonwood community, and provide the City with the best service he possibly could.

Mayor Joens asked how many days a week Mr. Sutton would be working, and Mr. Sutton answered that could vary but generally three days a week.

Mayor Joens then asked about Mr. Sutton's other obligations and ability to have time to dedicate to the citizens of Cottonwood, and about his scheduling of court cases outside of Cottonwood.

Mr. Sutton stated that he was a prosecutor for nearly seven years, and this would become his highest priority, and he would not schedule any cases that would conflict with Cottonwood.

Council Member Elinski commented that he wished Council Member Pratt was present for the questioning as he was part of the selection committee, and asked if Iris Dobler could address the Council in regards to the selection.

Mr. Horton addressed the Council in regards to the selection, stating that there were no interviews per se, but they selected the best firm based on the price and experience. Some of the firms were competitively priced, but Mr. Sutton had over seven years of experience as a prosecuting attorney.

Mayor Joens asked Mr. Horton about the extra duties that Mr. Sutton would be performing outside the city prosecution duties.

Mr. Horton described to the Council the duties that would require Mr. Sutton to work with the Cottonwood Police Department as a legal trainer, as well as with civil code enforcement.

Mayor Joens asked Mr. Horton if he needed extra help on an issue, would the contract allow Mr. Sutton to assist him on that issue, and Mr. Horton stated that was not included in the contract.

Council Member Kirby asked Mr. Sutton about his experience and what type of prosecution service he performed, be it Municipal, County or State.

Mr. Sutton stated that he left law school and entered into the Pinal County Prosecuting Attorney's office working on misdemeanors, which was very similar to the work that would be done here. He started out in the Juvenile Courts, and then moved to Justice Courts, where he spent two and half years, and then started out in general trial, working on drug cases, assaults, and murders. He liked working with the public and the police officers, ensuring that the police officers felt comfortable coming into the court room.

Mayor Joens asked how the Prosecuting Attorney would interact with the City's Municipal Court.

Mr. Horton stated all attorneys work within the specific Judge's courtroom, according to their rules, and Mr. Sutton would have to meet with the Judge in regards to that.

Mr. Sutton stated that he had met with the Judge and looked forward to working in his courtroom.

Mayor Joens asked Iris Dobler if she had anything to say in regards to Mr. Sutton.

Mrs. Dobler stated that she was part of the selection committee, and Mr. Sutton was the number one selection from every member, and his references were excellent.

Mayor Joens asked the public if they had any comments.

Mr. Bob Oliphant asked Mr. Sutton about his treatment of Latinos and his law school.

Mr. Sutton stated that he did not speak Spanish, but treated everyone equally. He indicated he graduated from law school in 2003, from a private law school in Lansing, Michigan.

Council Member Smith moved to approve the proposed prosecution services agreement with Terry R. Sutton, dba Sutton Law P.C., and to authorize the Mayor to execute the agreement. The motion was seconded by Council Member Norman and carried unanimously.

#### ADJOURNMENT

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

The special meeting adjourned at 10:55 a.m.

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Diane Joens, Mayor

ATTEST:

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Marianne Jiménez, City Clerk

#### CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of a special meeting of the City Council of the City of Cottonwood held on October 27, 2010. I further certify that the meeting was duly called, and that a quorum was present.

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Marianne Jiménez, City Clerk

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Date