

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD OCTOBER 4, 2011, 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
Jesse Dowling, Council Member
Tim Elinski, Council Member
Ruben Jauregui, Council Member
Linda Norman, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Matthew McLean, Deputy Clerk
Steve Horton, City Attorney
Rudy Rodriguez, Administrative Services General Manager
George Gehlert, Community Development Director
Mike Casson, Fire Department Chief
Jody Fanning, Chief of Police
Charlie Scully, Long-Range Planner

PLEDGE OF ALLEGIANCE

Andy Grosetta led the Pledge of Allegiance. Mayor Joens thanked him for leading the pledge.

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 informed the Council the Grape Stomp 5K Run and Rhythm and Ribs was on Saturday; a chip seal project was ongoing near the Cottonwood Ranch area; on October 15 is the Airfest; and Friday was the employee picnic.

Council Member Pratt stated he attended Rhythm and Ribs and thanked Hezekiah Allen for all the great work he has done for event.

Council Member Dowling stated he gave a presentation to a third grade class about the Council and the election process.

Vice Mayor Pfeifer stated she and Council Member Pratt were judges for the Rhythm and Ribs event.

Mayor Joens stated Krys Vogler was once again nominated for the National Coordinator of the Year for 2010 by the Toys for Tots National Foundation and Cottonwood will be hosting a Toys for Tots event at the Recreation Center this year again; she interviewed Elaine Bremner about the Senior Center and it can be viewed at www.verdevalleytv.com; she learned about the motorcycle officers' jobs and how they determine a DUI at the Cottonwood Police Citizens Academy; Verde River Days was September 24 and was attended by about 3,000 people; she attended the American Legion Gold and Blue Star Mother's luncheon; she attended a quarterly Verde River Basin Partnership meeting last Monday; she attended a luncheon to discuss Oak Creek elementary and middle school issues; she and Roger Biggs attended a Nature Conservancy meeting; she attended NACOG's 20th annual elder Issues conference for the Area Agency on Aging; she attended a meeting with Barry Broome, the president and CEO of the Greater Phoenix Economic Council on Friday to discuss networking ideas for Cottonwood and the Verde Valley; and the Cottonwood Christian Assembly held a free medical clinic on Saturday.

RECOGNITION OF FIRE CHIEF MIKE CASSON FOR BEING INDUCTED INTO THE ARIZONA FIRE SERVICE HALL OF FAME

The Council recognized Chief Casson for being inducted into the Arizona Fire Service Hall of Fame and presented the plaque he received.

CALL TO THE PUBLIC

Karl Priggee a member of the Verde Valley Flyers addressed the Council and stated his concerns for the lack of maintenance and support at the airport.

APPROVAL OF MINUTES—Regular Meetings of 9/6/11 and 9/20/11; Special Work Session of 8/10/11; Special Meeting of 8/16/11

Council Member Pratt moved to approve the minutes of the regular meetings of 9/6/11 and 9/20/11, special work session of 8/10/11, and special meeting of 8/16/11. The motion was seconded by Council Member Elinski and carried unanimously.

ORDINANCE NUMBER 579--AMENDING SECTION 404.0: ANIMALS AND PETS OF THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SUB-SECTION a. TO SECTION O. 1. HOUSEHOLD PETS; AMENDING SUB-SECTION 2. SHOW ANIMALS, OF SECTION 404. O. ANIMALS AND PETS; ADDING A NEW SUB-SECTION 8., TO SECTION 413.B: R-1 ZONE (PERMITTED USES); ADDING A NEW SUB-SECTION 11. TO SECTION 414. B: R-2 ZONE (PERMITTED USES); ADDING A NEW SUB-SECTION 13. TO SECTION 416.B: R-4 ZONE

(PERMITTED USES); AND ADDING A NEW SUB-SECTION 12. TO SECTION 417.B: MH ZONE (PERMITTED USES); FIRST READING

Mr. Gehlert stated the ordinance has been revised from the previous meeting to allow the keeping of chickens in residential R-1, R-2, R-4 and MH zones; a containment area must be 15 feet from an adjacent property line; allows the slaughter of chickens outside and allows the raising of 12 chickens. The ordinance will be an amendment to the Planning and Zoning Code. Before keeping chickens a resident must first obtain a permit from the Community Development Department.

Max Castillo, a resident of Cottonwood, voiced concern about residents that abandon chickens and questioned who would be responsible.

Council Member Pratt asked Chief Fanning if Animal Control could handle chickens.

Chief Fanning stated if the Council wishes it, they could trap the chickens.

Council Member Elinski asked Mr. Gehlert if it was a zoning violation would they go after the tenant or the property owner.

Mr. Gehlert stated the property owner is responsible for what occurs on the property, and would be handled by the Code Enforcement Officer.

Mayor Joens read a letter from Dan Myers who stated he has had problems with people raising chickens and would like the chickens to be located closer to the owners than any neighbor.

Council Member Elinski stated the containment area has to be 15 feet from a property line and it would probably be closer to the owner than the neighbors.

Mayor Joens stated we have also received a letter from the Verde Food Council supporting the Ordinance.

Mayor Joens requested the Deputy Clerk read Ordinance Number 579 by title only.

ORDINANCE NUMBER 579

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING SECTION 404.O: ANIMALS AND PETS OF THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SUB-SECTION a. to SECTION O. 1. HOUSEHOLD PETS; AMENDING SUB-SECTION 2. SHOW ANIMALS, OF SECTION 404. O. ANIMALS AND PETS; ADDING A NEW SUB-SECTION 8., TO SECTION 413.B: R-1 ZONE (PERMITTED USES); ADDING A NEW SUB-SECTION 11. TO SECTION 414. B: R-2 ZONE (PERMITTED USES); ADDING A NEW SUB-SECTION 15. TO SECTION 416.B: R-4 ZONE (PERMITTED

USES); AND ADDING A NEW SUB-SECTION 12. TO SECTION 417.B: MH ZONE (PERMITTED USES).

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

NEW LIQUOR LICENSE APPLICATION FOR HUGO ESQUEDA, APPLICATION FOR THE GOLDEN DRAGON RESTAURANT LOCATED AT 1675 E. COTTONWOOD STREET

ACCEPTANCE OF A GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$4,000 FOR OVERTIME EXPENSES DURING SELECTIVE TRAFFIC ENFORCEMENT DETAILS

ACCEPTANCE OF A GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$4,581 FOR THE PURCHASE OF TWO E-CITATION MOBILE DEVICES

ACCEPTANCE OF A GOVERNOR'S OFFICE OF HIGHWAY SAFETY GRANT IN THE AMOUNT OF \$12,000 FOR OVERTIME EXPENSES FOR DUI TASK FORCE DETAILS AND \$1,500 TO PURCHASE THREE PORTABLE BREATH TESTERS

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

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

REVIEW OF RECENT NAIPTA (NORTHERN ARIZONA INTERGOVERNMENTAL TRANSPORTATION AUTHORITY) ISSUES REGARDING REGIONAL BUDGET REDUCTIONS; REDUCTION OF STATE SHARED REVENUE SOURCES (RESPECTIVELY HURF AND LTA II); AND CAT SERVICE REDUCTIONS EFFECTIVE JANUARY 3, 2012

Mr. Faust introduced Jeff Meilbeck, General Manager of NAIPTA.

Mr. Meilbeck informed the Council about the service reductions that was approved by the NAIPTA board. The Cottonwood Area Transit would lose the current green line and the blue and red lines would be revised to cover the current area. The fares would be raised to \$1.25, and the current time between buses would be increased to an hour instead of 30 minutes. The reductions are a result of budget shortfalls in the amount of \$177,672. More information can be found at www.cat.az.gov.

Council Member Elinski asked how the changes would affect ridership.

Mr. Meilbeck stated it would probably drop about 15 percent, but we have maintained the coverage.

Mayor Joens stated she attended the last NAIPTA board meeting and the people that spoke truly need the service. Cottonwood has sacrificed to keep the service running, but it is very important to the community.

Vice Mayor Pfeifer stated when the Chamber of Commerce receives relocation requests people ask what kind of public transportation we have. It makes a difference if people are going to move here or not.

Council Member Norman stated being on the board she sees how hard Mr. Meilbeck has worked and thanked him for his hard work. The new plan serves Verde Village and Clarkdale has the service they had before.

Council Member Dowling stated it is a valuable service and thanked Mr. Meilbeck for his work.

Duane Kirby, a resident of Cottonwood, thanked the city and NAIPTA for participation in the project.

AGREEMENT WITH JACKIE ODOM, OWNER OF GYPSY WIND CARRIAGE COMPANY, FOR A COMMERCIAL HORSE CARRIAGE OPERATION IN OLD TOWN

Mr. Gehlert presented the agreement for the Gypsy Wind Carriage Company to operate a horse carriage service in Old Town on Main Street. This was presented to Council at the September 13 work session and Council directed staff to come back with an agreement. Mr. Gehlert pointed out that Mr. McLean wrote the agreement.

Council Member Pratt stated the agreement covers everything we were concerned about and it is good for the city.

Mayor Joens stated the agreement is very detailed.

Council Member Elinski asked if the agreement is renewable.

Mr. Horton stated this agreement is not renewable and we would be amending the code so it is not specific to one party, but this was addressing the expediency of this vendor wanting to do the service now before we could get the code in place.

Mayor Joens stated in section 12.5 of the agreement, she requested that the words sole discretion be replaced with discretion. A Council Member may receive a complaint and work with the City Manager.

Council Member Pratt moved to approve the city entering into an agreement with Gypsy Wind Carriage Company for a horse carriage service in Old Town and allow staff to negotiate a final agreement. The motion was seconded by Council Member Dowling and carried unanimously.

REQUEST FOR SUPPORT OF THE ARIZONA CATTLE GROWER'S ASSOCIATION'S "SAVE ARIZONA'S FOREST ENVIRONMENT" (SAFE) PLAN.

Andy Grosetta from the Arizona Cattle Grower's Association presented the SAFE plan to the Council which was created to control the potential forest wildfires on federally controlled land. They are seeking a resolution from the Council showing support for the plan. Some of the key ideas of the plan are it asks for the federal government to suspend the National Environmental Policy Act for five years; begin restoration of the burned forest area; authorize harvesting of healthy lumber for logging operations and allow cattle to graze in the area. The full plan is available on the internet at <http://azcattlemensassoc.org>.

Council Member Pratt stated he has done some research and found a group called Four Forest Restoration Incentive (4FRI), with about 30 stakeholders and wondered why they did not collaborate with that group.

Mr. Grosetta stated that group is focused on timber harvesting and we are focusing on grazing and they are still waiting for NEPA to be finished. The SAFE plan is different, since we are asking for NEPA to be suspended.

Council Member Elinski asked how the SAFE plan succeeds where the other group has failed.

Mr. Grosetta stated they haven't failed. They are still waiting for NEPA to be finished, which was due to be released in September but it might not be ready until January. They can't issue a timber sale until NEPA is finished.

Council Member Jauregui stated he applauds the efforts of the Cattle Grower's Association.

Margery Lambert from Cottonwood, asked the Council not to endorse the SAFE plan as it is written and NEPA should not be suspended.

Steve Harris from Cottonwood urged the Council to support the SAFE plan and suspending NEPA.

Anita Smigeu from Clarkdale spoke against the SAFE plan and stated she does not want the NEPA suspended.

Dr. Bob Richards from Cottonwood spoke in opposition and stated the Council does not have enough information to vote on this issue.

Darold Smith from Cottonwood spoke in opposition to this plan and stated the Council should not be voting on this without all the information.

Paul Grosetta from Cottonwood and the Arizona Cattle Grower's Association spoke in favor, stating other cities and towns have already supported this plan.

Frank Ogden from Cottonwood spoke in favor of the plan and studies have shown that protecting the forest has shown to cause forest fires.

Council Member Dowling stated he has been looking at this and it is not a simple topic. Both sides love the land and they may never meet in the middle. He has spoken to some people from the 4FRI project and they are selling rights to thin the property. The plan states there are no sawmills in Arizona, but his research shows there at least 32 mills, but some of those may not be larger industrial mills. It would be better to integrate some local woodcutters instead of a larger operation. Another point is with the protection of the forest, we are getting larger game animals and it is a draw for tourists in Arizona. He questioned if we have cattle and elk competing how that would affect the state, and how the SAFE plan will address any current litigation. Some people have been surprised by the plan to suspend NEPA and there is whole industry to support NEPA. He has spoke with a lot of different people and they were opposed to complete no regulation of the process, but did agree there were issues with the process. He also questioned if we did suspend NEPA, what management would regulate the grazing and oversee the process.

Mr. Grosetta stated the 4FRI project has not gotten off the ground yet. They plan to harvest 300,000 acres of trees over the next ten years and that is not large enough. The cattlemen have built wells and pipelines to benefit the cattle and it also benefits game animals. There are no guarantees in regards to litigation. There will be proper management between the cattle growers and they are concerned in protecting the land. They feel that if the federal government suspended the NEPA for five years and then they could show the land after and see if it is in better condition.

Vice Mayor Pfeifer stated she disagrees that this issue is not a local issue and Flagstaff is an example. Flagstaff has paid a small fortune to repair roads and dig ditches. She just can't believe that the cattle could do the same amount of damage that the forest fires have done. We might see a sufficient change after allowing this to happen for five years.

Council Member Elinski stated he agrees with the Vice Mayor Pfeifer since we deal with the affects of the forest fires. He just doesn't have enough information to support it. He would like more details flushed out in the plan, such as how they plan on succeeding where 4FRI has not succeed.

Bob Gillies addressed the Council and spoke in favor of supporting the plan. The NEPA process is very expensive and costs all the taxpayers a lot. He reminded the Council he retired from the US Forest Service after 35 years.

Mayor Joens stated we need to keep the ranchers ranching and the farmers farming. She is concerned about the NEPA process and has gotten letters to that effect. She liked the discussion of creating jobs and would hope it would be well managed. She would like to soften the proposed resolution.

Council Member Jauregui stated we need to make a decision somewhere. No one is trying

to damage the forest, and he is ready make a move on this yea or nay.

Council Member Pratt stated he is really concerned about suspending NEPA, and would rather see the ACGA work with 4FRI.

Council Member Jauregui moved to support the Arizona Cattle Growers Association's Save Arizona's Forest SAFE plan. The motion was seconded by Vice Mayor Pfeifer, and carried with dissenting votes by Council Member Elinski and Council Member Pratt.

APPROVAL TO ESTABLISH A NEW INFORMATION TECHNOLOGY MANAGER POSITION AT A RANGE 46 AND REALIGN THE INFORMATION TECHNOLOGY TECHNICIAN TO A RANGE 37

Council Member Jauregui stated he would like to have the two items separated, since these are two separate items and would like the opportunity to vote on them separately.

Mr. Rodriguez presented a proposal to create a new Information Technology Manager position at a range 46 and realign the Information Technology Technician to a range 37. Over the past few years Brent Kinney has brought the city current with technology. The budget was transferred electronically instead of paper being shuffled around. The email servers are up a lot longer. The security information has been improved. The city currently contracts out most of the IT work for the Police Department. The Police Department is going to be bringing on another 40 desktops, 37 laptops, and four wireless handhelds for the e-tickets. Brent is stretched thin. The manager would be working in the field and be hands on and be very similar to the IT tech. It would cost \$65,000 to bring on the IT Manager. We would be able to eliminate a \$45,000 contract. We might come back to the Council to bring another third IT tech in the future.

Mr. Bartosh stated this is one area of concern that has been expressed by the General Mangers. Every time we have come to Council with creating a new position, we find savings within the organization so we are more effectively using it for the needs of the city.

Council Member Jauregui stated his concerns have been answered.

Mayor Joens stated getting stuff up on the website has been a problem.

Mr. Rodriguez stated he and Kirsten are backups for putting things on the website.

Mayor Joens asked how far they are in getting the departments to post things on the website.

Mr. Rodriguez stated he has been working other projects.

Mayor Joens stated she would like to see Parks and Recreation upload their stuff to the website and she commended the IT department for the work they have done with security.

Council Member Pratt moved to approve the establishment of the position of Information Technology Manger at a Range 46 and realign the Information Technology Technician to a range 37 with each having distinct responsibilities as proposed. The motion was seconded by Vice Mayor Pfeifer and carried unanimously.

ORDINANCE NUMBER 580--AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SUB SECTION 406. G. REGULATIONS APPLICABLE TO PARKING IN THE "COTTONWOOD COMMERCIAL HISTORIC DISTRICT" TO SECTION 406. PARKING AND LOADING REQUIREMENTS; ADDING A NEW SUB SECTION 406. B. 7., EXCEPTIONS FOR USES LOCATED NEAR PUBLIC PARKING LOTS; AND ADDING A NEW SUB SECTION 406. E. 6. EXEMPT USES (PERTAINING TO OFF-STREET LOADING REQUIREMENTS); FIRST READING

Mr. Scully presented Ordinance Number 580 which would lift the requirement that commercial properties in Old Town provide off street parking. The city would provide public parking in Old Town.

Mayor Joens requested the Deputy Clerk read Ordinance Number 580 by title only.

ORDINANCE NUMBER 580

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING A NEW SUB SECTION 406. G. REGULATIONS APPLICABLE TO PARKING IN THE "COTTONWOOD COMMERCIAL HISTORIC DISTRICT" TO SECTION 406. PARKING AND LOADING REQUIREMENTS; ADDING A NEW SUB SECTION 406. B. 7., EXCEPTIONS FOR USES LOCATED NEAR PUBLIC PARKING LOTS; AND ADDING A NEW SUB SECTION 406. E. 6. EXEMPT USES (PERTAINING TO OFF-STREET LOADING REQUIREMENTS).

ORDINANCE NUMBER 581--AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY DELETING SUBSECTION 22. SIGN, POLITICAL, AND ADDING A NEW SUBSECTION 405. B. 22. SIGN, POLITICAL AND CAMPAIGN; AMENDING SECTION 405. E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS., BY ADDING A NEW SUBSECTION 14. POLITICAL AND CAMPAIGN SIGNS, AND 15. POLITICAL AND CAMPAIGN SIGNS LOCATED IN CITY RIGHTS-OF-WAY; AND DELETING SUBSECTION 405. G. 6. POLITICAL SIGNS; FIRST READING

Mr. Scully presented Ordinance Number 581 which would allow relatively large political and campaign signs to be located within city right-of-ways. This would be in conformation with new state law.

Mayor Joens requested the Deputy Clerk read Ordinance 581 by title only.

ORDINANCE NUMBER 581

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF

COTTONWOOD, ARIZONA, AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY DELETING SUBSECTION 405.B.22. SIGN, POLITICAL, AND ADDING A NEW SUBSECTION 405. B.22. SIGN, POLITICAL AND CAMPAIGN; AMENDING SECTION 405. E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS., BY ADDING A NEW SUBSECTION 14. POLITICAL AND CAMPAIGN SIGNS, AND 15. POLITICAL AND CAMPAIGN SIGNS LOCATED IN CITY RIGHTS-OF-WAY; AND DELETING SUBSECTION 405. G. 6. POLITICAL SIGNS.

CLAIMS & ADJUSTMENTS

Council Member Norman moved to pay to the Claims and Adjustments. The motion was seconded by Vice Mayor Pfeifer and carried unanimously.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Elinski and carried unanimously. The regular meeting adjourned at 9:07 pm.

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 October 4, 2011. I further certify that the meeting was duly called, and that a quorum was present.

Matthew McLean, Deputy Clerk

Date