

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD APRIL 19, 2011, AT 6:00 P.M., AT THE CITY COUNCIL CHAMBERS BUILDING, 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

CALL TO ORDER AND ROLL CALL

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

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor (via telephone)
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
Marianne Jiménez, City Clerk
Steve Horton, City Attorney
Dan Lueder, General Services Manager
Gary Eisenga, Cottonwood Police Dept. Commander
George Gehlert, Community Development Director

PLEDGE OF ALLEGIANCE

Students of the Cottonwood Elementary School (CES) fifth grade Leadership Club lead the Pledge of Allegiance. Vice Mayor Pfeifer presented each of the students with a Certificate of Appreciation.

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

City Manager Doug Bartosh reported the following city events:

- This last weekend was the 3rd annual Mickelsen Half-Marathon and we had 516 runners participate, that was the best participation level to date and we netted a profit of \$3,500.
- A reminder next Saturday was the 21st annual Easter Egg Hunt at Riverfront Park.
- On April 30 the Recreation Center was doing an annual and six-month membership

drive and they are offering a 15 percent discount for those who renew their membership on that date.

Council Member Pratt stated he was at the Brian Mickelsen Memorial Run and Walk which was a great way to remember and celebrate our last city manager. He talked to a lot of people and they just loved him. It was great for Cottonwood to show itself that way and invite so many people from out of town to our city.

Vice Mayor Pfeifer stated the City Manager and Council Member Norman and she attended the MatForce mixer in Prescott yesterday and she put brochures on all the Council Members desks which contained information regarding MatForce.

CALL TO THE PUBLIC

There were no comments from the public.

APPROVAL OF MINUTES—Special Meeting & Regular Meeting of January 4, 2011

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

UNFINISHED BUSINESS

ORDINANCE NUMBER 574—AMENDING THE COTTONWOOD MUNICIPAL CODE BY REPEALING SECTION 5.12.120, SECURITY FUND; OF CHAPTER 5.12 CABLE TELEVISION; SECOND & FINAL READING

Mr. Horton stated staff had been working with NPG Cable on their request to transfer the franchise to a new entity. In the course of reviewing this they discovered in the city's cable ordinance that there was a redundancy in requiring a cash security from a cable provider as well as a surety bond. Staff recommended the Council repeal that section of the City Code that requires the security fund which is the cash, and require a modest bond. He did go back and check the amount of security that other communities were asking for and he could report to the Council now or later about it.

Vice Mayor Pfeifer asked if any of the Council Members or anyone in the audience had any questions, and there were none.

Council Member Kirby moved to approve Ordinance 574, repealing Section 5.12.120, Security Fund, of the Cottonwood Municipal Code. The motion was seconded by Council Member Pratt, and carried unanimously.

Vice Mayor Pfeifer requested the City Clerk read Ordinance 574 by title only.

ORDINANCE NUMBER 574

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING THE COTTONWOOD MUNICIPAL CODE BY REPEALING SECTION 5.12.120, SECURITY FUND; OF CHAPTER 5.12, CABLE TELEVISION.

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 SUBMITTED BY SANDRA J. BAKER FOR THE WINE CELLAR LLC LOCATED AT 1029 NORTH MAIN STREET

NEW LIQUOR LICENSE APPLICATION SUBMITTED BY ROBERT W. DONAHUE, FOR THE DON'S SMOKE SHOP LOCATED AT 903A NORTH MAIN STREET

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY SUSAN COX FOR THE OLD TOWN ASSOCIATION FOR AN EVENT SCHEDULED FOR MAY 7, 2011, IN OLD TOWN COTTONWOOD

WINE FESTIVAL/WINE FAIR APPLICATION SUBMITTED BY ERIC GLOMSKI AGENT FOR PAGE SPRINGS CELLARS, FOR AN EVENT SCHEDULED FOR MAY 28, 2011, AT RIVERFRONT PARK

LIQUOR APPLICATION FOR EXTENSION OF PREMISES/PATIO PERMIT SUBMITTED BY LARRY PRITCHARD, AGENT FOR PLAYERS SPORTS BAR & GRILL, FOR AN EVENT SCHEDULED FOR MAY 14, 2011, AT 1100 HWY 260 IN THE PARKING LOT

Council Member Pratt moved to approve the Consent Agenda. The motion was seconded by Council Member Smith, and carried unanimously.

NEW BUSINESS

RESOLUTION NUMBER 2586--APPROVING A POLICY TO PROVIDE APPROPRIATE LEVELS OF INFRASTRUCTURE AND SERVICES TO APPROXIMATELY 105 ACRES (QUAIL CANYON SUBDIVISIONS, UNITS I & II) PROPOSED TO BE ANNEXED BY THE CITY OF COTTONWOOD UNDER ORDINANCE NUMBER 576. APPROVING A POLICY TO PROVIDE APPROPRIATE LEVELS OF INFRASTRUCTURE AND SERVICES TO APPROXIMATELY 105 ACRES PROPOSED TO BE ANNEXED BY THE CITY OF COTTONWOOD UNDER ORDINANCE NUMBER 576

Mr. Gehlert stated Resolution 2586 and Ordinance 576 had to do with the annexation of Quail Canyon Subdivisions Units I & II, located south and west of the city along Quail Springs Ranch Road, immediately adjacent to some State Trust land about a mile west of the highway. The Council directed staff to initiate the process of annexation of the subdivisions

in August of 2010. During the month of September staff filed the blank petition initiating the process and conducted a process of notification in advance of the public hearing regarding the annexation. Since that time they secured the necessary signatures and filed them with the county recorder's office. At this point all that remained was for the Council to adopt Ordinance Number 576 annexing property, as well as to adopt Resolution 2586 committing to a 10-year plan for extending the infrastructure and city services to the site. The property was about 105 acres on the south side of Quail Springs Ranch Road. It had already been platted and developed over the last 5 years. There were 62 lots and only one home site out there at the moment.

Mr. Bartosh reminded the Council that this was a product of the purchase of the well in that vicinity.

Council Member Pratt stated he did notice it said "minimal cost associated with the annexation process," which was important to know.

Council Member Norman moved to approve Resolution Number 2586 approving a policy to provide appropriate levels of infrastructure and services to approximately 105 acres proposed to be annexed by the City of Cottonwood under Ordinance Number 576. The motion was seconded by Council Member Kirby, and carried with a dissenting vote by Council Member Smith.

Vice Mayor Pfeifer requested the City Clerk read Resolution 2586 by title only.

RESOLUTION NUMBER 2586

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING A POLICY TO PROVIDE APPROPRIATE LEVELS OF INFRASTRUCTURE AND SERVICES TO APPROXIMATELY 105 ACRES (QUAIL CANYON SUBDIVISIONS, UNITS I & II) PROPOSED TO BE ANNEXED BY THE CITY OF COTTONWOOD UNDER ORDINANCE NUMBER 576.

ORDINANCE NUMBER 576—ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF COTTONWOOD, BEING APPROXIMATELY 105 ACRES IN SIZE (QUAIL CANYON SUBDIVISIONS, UNITS I & II); PURSUANT TO THE PROVISIONS OF A.R.S. § 9-471; AND CONTINUING THE COUNTY ZONING OF R1L-70 (RESIDENTIAL/SINGLE FAMILY, LIMITED TO SITE BUILT CONSTRUCTION, 70,000 SQUARE FOOT MINIMUM LOT SIZE) ON THE ANNEXATION TERRITORY; FIRST READING

Vice Mayor Pfeifer stated the Council did not need further explanation regarding the ordinance and requested the City Clerk read Ordinance Number 576.

ORDINANCE NUMBER 576

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, ANNEXING CERTAIN TERRITORY CONTIGUOUS TO THE CITY LIMITS OF THE CITY OF COTTONWOOD, BEING APPROXIMATELY 105 ACRES IN SIZE (QUAIL CANYON SUBDIVISIONS, UNITS I & II); PURSUANT TO THE PROVISIONS OF A.R.S. § 9-471; AND CONTINUING THE COUNTY ZONING OF R1L-70 (RESIDENTIAL/SINGLE FAMILY, LIMITED TO SITE BUILT CONSTRUCTION, 70,000 SQUARE FOOT MINIMUM LOT SIZE) ON THE ANNEXATION TERRITORY.

Vice Mayor Pfeifer then asked if there was anyone in the audience who wanted to speak on this item, and there were no comments from the public.

ACCEPTANCE OF THE 100 CLUB OF ARIZONA'S SAFETY ENHANCEMENT STIPEND (SES) AWARD IN THE AMOUNT OF \$15,198.40 FOR THE PURCHASE OF 32 BALLISTIC HELMETS WITH FACE SHIELDS FOR THE COTTONWOOD POLICE DEPARTMENT

Commander Eisenga stated the 100 Club provided benefits for officers who were killed or injured in the line of duty. In 2004 they established the Safety Enhancement Stipend (SES) in order to try and prevent injuries. The Police Department requested funds to purchase ballistic helmets, and on April 4 they received the acceptance letter. The helmets would be purchased by the city and we would be reimbursed by SES for the purchase amount. This allowed the Police Department to issue every officer a ballistic helmet and face shield.

Council Member Smith stated he was all for it and questioned if they had microphones inside of them.

Commander Eisenga answered no. What they had now were new radios and earpieces and some officers had just a single individual microphone that would fit under the helmet.

Council Member Smith moved to approve acceptance of the 100 Club of Arizona's Safety Enhancement Stipend Award in the amount of \$15,198.40 for the purchase of 32 ballistic helmets and face shields. The motion was seconded by Council Member Pratt, and carried unanimously.

PRESENTATION OF THE VERDE VALLEY LAND PRESERVATION INSTITUTE, INC., OPEN SPACE STUDY

Bob Rothrock, President of the Verde Valley Land Preservation Institute, Inc. (VVLPI), presented a PowerPoint presentation of the results of the Institute's Open Space Study. He explained that the Institute began as a result of a public forum on open space following a 1998 resolution from all the cities and towns in the Verde Valley that they would not grow together and keep a buffer space between all of our communities. That had been followed and ignored over the course of that time. There was a substantial buffer between some

communities, but not all. The six jurisdictions in the valley agreed that they would assist in funding a group that would plan and execute an Open Space plan. Of those six jurisdictions four of the six had helped them financially in the past, and that allowed them to keep going with their mission, which was to develop and implement immediate and long-range strategies to preserve and enhance the natural open space of the Verde Valley. They had grant funding from the Yavapai County Community Foundation which enabled them to complete this study. Developing the overlay model was a collaborative effort. More recently they created a Community Outreach Project which was funded by a grant from the Walton Family Foundation that allowed them to hire a Community Outreach Director, Steve Estes, who he introduced and would tell them a little bit about the Community Outreach Program.

Mr. Estes stated the Verde Valley Land Preservation Institute has partnered with the Friends of the Verde River Greenway and achieved a grant from the Walton Family Foundation which allowed them to hire him as the Community Outreach Director. His charge was to create relationships with private land owners to cover broad areas of concern. The goals were: 1) to preserve open space; 2) to restore riverside habitat; and 3) to promote sustainable river recreation. The idea with open space is talking to land owners who have strategically placed properties that are near or next to open space that is held in trust or set aside by the national forest or the national park or state lands. They talk to landowners about actions they can take on their land, and a couple of options the landowners could consider to support the preservation of open space, such as putting trails on their land to join open spaces or do a "conservation easement" where the landowner designates what their property can be used for. He also talked with landowners about riverside habitat improvement. That included all of the running creeks and rivers within the Verde watershed. He spoke with landowners who have strategically placed property in terms of ecological needs and what was being done on the public lands in respect to the health and the flow of these important waterways. He also spoke to them about invasive species of plants that were invading, taking over, clogging, and ruining the habitat of the river.

Mr. Rothrock continued with the PowerPoint presentation of the overlay model, which showed areas with open space values such as riparian habitat, agricultural land, or wildlife corridors, as colored overlays on a Google Earth based map of our region, which could be accessed over the internet.

CLAIMS & ADJUSTMENTS

Council Member Norman moved to pay the Claims and Adjustments. The motion was seconded by Council Member Kirby, and carried unanimously.

EXECUTIVE SESSION-PURSUANT TO A.R.S. §38-431.03(A)(3) AND/OR (A)(4) THE CITY COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO RECEIVE UPDATES FROM THE CITY ATTORNEY REGARDING PENDING CLAIMS AND LITIGATION, TO RECEIVE LEGAL ADVICE AND CONSIDER IS POSITIONS IN THOSE MATTERS, AND TO GIVE THE CITY ATTORNEY ANY INSTRUCTIONS THE COUNCIL DEEMS APPROPRIATE

Council Member Elinski moved to convene into executive session. The motion was seconded by Council Member Kirby, and carried unanimously.

Council Member Kirby moved to reconvene into open session. The motion was seconded by Council Member Pratt, and carried unanimously.

The Council took no action in open session.

ADJOURNMENT

Council Member Norman moved to adjourn. The motion was seconded by Council Member Pratt, and carried unanimously.

The regular meeting adjourned at 8:10 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 April 19, 2011. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date