

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD JULY 2, 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 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
Randy Garrison, Council Member
Ruben Jauregui, Council Member
Terence Pratt, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Steve Horton, City Attorney
Marianne Jiménez, Deputy Clerk
Charlie Scully, Planner
Richard Faust, Community Services General Manager
Tom Whitmer, Water Resources Administrator

At this point in the meeting the Mayor asked for a moment of silence in honor of the 19 Hot Shot firefighters who lost their lives in the Yarnell fire on Sunday.

PLEDGE OF ALLEGIANCE

Mayor Joens requested Mr. Faust lead 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 stated two of our wild land fire trained firefighters were helping in Yarnell and we would be sending one of our engine companies on Monday to cover one of their stations during the memorial service, and Chief Fanning and Commander Makuch were patrolling Yarnell tonight at the request of the sheriff's department. He then introduced two friends of his who were retired police officers from England, Brian Stewart and Alan Pennman.

Vice Mayor Pfeifer stated she took a trip to El Paso for her son's graduation from the sergeant-major academy.

Council Member Pratt stated on June 22, as one of the board of directors of the Chamber of Commerce, they were gifted a free predator zip-line experience at Out of Africa. He was also invited to tour Sedona Recycles and was impressed by their operation.

Vice Mayor Pfeifer stated they had the regional Chamber mixer and there were over 400 people there, and it was sponsored by Cottonwood and Sedona.

Mayor Joens announced the following:

- For Inside Cottonwood she interviewed the new superintendant from Mingus, Paul Tighe, last month and last Friday she interviewed the new principal, Jennifer Chilton. She also interviewed Representative Brenda Barton who talked about the water hearings she was going to throughout the state.
- She attended a Greater Arizona Mayor's meeting in Cottonwood on June 21. On June 24 the Verde Valley Teen Center held a movie night for local teens and thanked Sebra Choe and Evangel Worship Center that allowed us to use their building. Cottonwood resident Jean Nietupski paid for all the refreshments.
- On June 24 she had lunch with Camp Verde Mayor Charlie German who drove her around Camp Verde and they talked about the Verde River and looked at Beaver Creek and Clear Creek, and they definitely are committed to working together on issues that impact our communities.
- On the 25th she attended the ADOT board meeting in Phoenix for about an hour before she had to go to a Flynn Foundation event.
- Tuesday she was invited to see the accomplishments of the Sedona Verde Valley Pride at the Cottonwood Community Garden and they have a beautiful garden to display.
- On Saturday she and her husband attended the EF Productions USO show which was very impressive.
- She reminded everybody to attend our Fourth of July Family Fun Day at Cottonwood Kids Park this Thursday.
- Tomorrow at 8 a.m., they would be having the ribbon cutting for the new Jail Trail parking lot and the public was invited. Refreshments would be served.
- On July 13 the Verde Valley Senior Center is holding an "Old Bags" tea party and fashion show as a fundraiser.

CALL TO THE PUBLIC

There were no comments from public.

OLD BUSINESS – None.

CONSENT AGENDA

SPECIAL EVENT LIQUOR LICENSE APPLICATIONS SUBMITTED BY MARY VALENZUELA, APPLICANT FOR THE VERDE VALLEY FAIR ASSOCIATION FOR EVENTS SCHEDULED FOR AUGUST 17, AND OCTOBER 18 & 19, 2013, AT THE VERDE VALLEY FAIRGROUNDS LOCATED AT 800 E. CHERRY STREET.

APPLICATION FOR ACQUISITION OF CONTROL FOR THE CURRENT LIQUOR LICENSE FOR THE MAVERIK LOCATED AT 690 WEST HIGHWAY 89A (LAUREN MERRETT, AGENT.)

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

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

RESOLUTION NUMBERS 2702, 2703, AND 2704, APPOINTING MEMBERS TO THE CITY'S AIRPORT COMMISSION.

Mr. Scott stated as of the end of June they had three positions on the Airport Commission expire; Jim Moeny, Rex Williams, and Bill Wade. There were a total of six applications; three from the incumbents and three new applicants. He had met with all of them except Mr. Shuttlesworth, and all were good applicants. None of the applicants were able to attend the meeting tonight.

Mayor Joens stated she was reading the code today and it said of the five members one member needs to be not associated with the airport and live in Cottonwood. We don't have that number and haven't had for a long time. She would like to keep one position out and readvertise for that position. They represent the citizens of Cottonwood.

Mr. Horton clarified that one member should be a citizen of Cottonwood.

Mr. Pratt stated he would like to see Cottonwood representation, but for the airport commission you would want somebody with airport aviation background because they were making decisions about pilots and the operations of the airport.

Mayor Joens stated the issue for her is that the person who didn't have a connection to the airport would be more likely to represent the citizens of Cottonwood because they wouldn't have an interest in the airport.

Council Member Elinski stated he understood her concern. He thought that in terms of having a safety valve, the commission was just advisory to the council. He felt they (the council) are the ones that would represent the citizens' interest the most.

After further discussion regarding the appointments, Council Member Pratt moved to approve Resolution Number 2072, appointing Jim Moeny. The motion was seconded by Council Member Elinski, and carried unanimously.

Council Member Elinski moved to appoint Bill Wade under Resolution number 2703. The motion was seconded by Council Member Pratt, and carried unanimously.

Council Member Dowling moved to approve Resolution Number 2704, appointing Rex Williams a member of the airport commission. The motion was seconded by Council Member Jauregui, and carried with a dissenting vote by Mayor Joens.

Maryor Joens requested the City Clerk read Resolution Numbers 2702, 2703, and 2704 by title only.

RESOLUTION NUMBER 2702

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPOINTING JAMES MOENY A MEMBER OF THE COTTONWOOD AIRPORT COMMISSION AND ESTABLISHING HIS TERM OF OFFICE.

RESOLUTION NUMBER 2703

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPOINTING BILL WADE A MEMBER OF THE COTTONWOOD AIRPORT COMMISSION AND ESTABLISHING HIS TERM OF OFFICE.

RESOLUTION NUMBER 2704

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, APPOINTING REX WILLIAMS A MEMBER OF THE COTTONWOOD AIRPORT COMMISSION AND ESTABLISHING HIS TERM OF OFFICE.

AWARD OF BID FOR THE CITY'S RECYCLING SERVICE

Mr. Scott stated the city currently offers recycling services free of charge to its citizens at a site located at 6th Street and 89A. The contract for that service has expired and the city asked for proposals to provide recycling services. We started to ask why the city is paying \$20,000 a year when multiple other sites were providing this for free. One of the reasons is because the contractor is obligated to clean the site and take care of any illegal dumping. However, if we move the recycling site to the current transfer station located above the public works yard, we already operate 6 days a week, 8 hours a day there. We can provide a volunteer to make sure there is no illegal dumping, and fence the yard so at night we can

limit a lot of the illegal dumping prospects. Six companies provided proposals and they were narrowed down to four companies that were interviewed. The committee chose Waste Management because it was felt they had the simplest method with the best deal for the city. They would provide this service free of charge with one exception; glass was the only resource they could not take for free. They gave two options; they could recycle it for an estimated amount of about \$6,000 which would vary with the volume, or we could not recycle glass. Something else the city could do is buy the bins and equipment and haul it ourselves to a recycler that would take it for free. The biggest problem with recycling is the biggest cost is for hauling. One other issue is the Lion's Club aluminum can recycling which provides this service at the 6th Street site and they wanted to know what was going to happen to them. There were several options for them. If they wanted to continue providing the same services at our transfer station, they could do that. They will just have to provide us with the same insurance we request of every other company, or we could work with them to find different sites within the city.

Council Member Pratt stated he had been a little bit disappointed in the 6th Street site over the past year. People were dumping things they shouldn't, but part of the problem is the contractors were letting the bins get too full at times and they were overflowing. That is how he got interested in Sedona Recycles because their sites were really pristine. He questioned if there was any way to estimate what it would cost the city to transport the glass ourselves. He also thought we may hurt ourselves as the compactor station was difficult to get into at times and people will find it inconvenient. It could hurt our recycling efforts and people could find the limited hours inconvenient.

Council Member Elinski stated he had the same concerns about the hours of operation and the logistics of where a potential customer would take the recycling up there. He was familiar with the yard and questioned if they would have to drive up closer to the compactor or if it would be in the lower section of the yard.

Mr. Scott stated the ideal situation was when you first drive in the gate off to the right there was a bunch of brush and weeds right now that would be cleared out. You would pull in; unload your recyclables, then the scrap and brush pile and then the compactor. The hours of operation were a concern and would limit us. Until we trained people to know where the site has moved and the hours of operation we might see a slight decline. We do have all these other recycling sites in the city.

Council Member Pratt stated from his visit with Sedona Recycles, he thought they were going to pull their bins because they cost them money. That was the impression he got from meeting with them.

Mayor Joens stated that didn't happen after they no longer had our contract; they went out and put up bins all over town.

Mr. Scott stated he did not have a cost estimate to haul glass. He did some basic research and for a few thousand dollars we could buy a bin that we could haul. For the cost of an employee and a truck, say once a month, it would not be a lot of time and effort.

Council Member Dowling asked if he included in that cost the separation of the different glass. He knew that was a big thing with glass and colors. They usually have you separate the glass out and that might be another step. If we were going to haul the glass we would have to have a multi-chambered bin and at least maintain some control over the color of it.

Mayor Joens stated the City of Prescott's website contains information about their recycling efforts and they take electronics, and their hours are 8-4 Monday through Saturday. She questioned if this service could still be provided where we are at.

Mr. Scott stated that was a possibility and we would probably take on the cleanup part of the illegal dumping. Mr. Black from Waste Management was here tonight and could answer any questions and he would like to ask him about the electronic recycling if the council was interested.

Mr. Black, the Public Sector representative for Waste Management, stated they were pleased to offer recycling to the community and currently do the hauling at the transfer station and adding the recycling was just another service they could provide to the city. They would be providing this free of charge and after six months they were going to take a look at what the commodities have been and see if they could provide the city with a rebate at that point depending upon what's in the containers and the actual stream they are getting. All the material would be going to their facility in Surprise where they had a state-of-the-art eco center where it was processed. They were welcome to tour the facility at any time.

Mr. Scott stated Waste Management did offer a rebate with the glass, which would be about a third of the cost, so if it's going to cost us \$6,000 a year to recycle glass it would be about \$2,000 they expect we could get back.

Council Member Elinski asked if Mr. Black wanted to comment on the electronics recycling.

Mr. Black stated they had programs available for electronic recycling. There were components they could work with the schools on and had a cartridge program that gave the schools a chance to earn some money. If the city was interested, he could provide a quote of what it would cost the city for the electronics.

Mr. Ron Black, a representative of the Lion's Club, stated Mr. Pratt had hit on several points their club was concerned about. One was the relocation of the site and if they lose their visibility they lose their revenue from the aluminum cans. He and Morgan had already talked about trying to find some alternate locations if this goes through. The bid process came to their attention and he was in Kate's office talking about a proposal the club had, because they had the same concern regarding keeping that site cleaned up. They were making a proposal to Earthworks to be part of that process. On a weekly basis they would clean up

that site, and get some signage up that they had adopted that site, and they would haul it up to the city and have some kind of agreement to dispose of it. They would like to propose that they have six-eight months to try it out and see if they could get that site cleaned up. One of the other issues you have is at that site it was invisible to the public on three sides so it was easy to go in there after dark and get rid of an old couch without anybody seeing you. If we could remove those slats you were going to get better visibility.

Kate Blevins with Verde Earthworks gave a history of her 25 years of bringing recycling to Sedona/Verde Valley. She was the founder of Sedona Recycles; she designed and wrote the ADEQ grant that built that place. When the state expanded the grant opportunities she was the last recipient of an ADEQ waste reduction grant to build another rural recycling facility and they found their location in Rimrock next to the I-17 interchange. Her goal and purpose was to find a location in the Verde Valley that could serve the greater Verde Valley. Her facility had been open two years now and was considered a SMRF (small material recovery facility.) She was an owner/operator and she had four trucks on the road, with eight routes that traveled all the way to Oak Creek Canyon, and Montezuma/Rimrock. In December of this past year they sold their residential routes to Taylor Waste because he could offer more recycling to more residents because he had a stronghold in the Verde and could reduce the carbon footprint of having another truck going up and down every neighborhood in the Verde. When your recycling goes over to 6th Street it goes 16 miles down the road to their recycling facility where they sort every type of plastic, paper, and cans. They collect glass and are the only company that collects glass because their trucks are compartmentalized and they can collect glass at the curb and sort it, which was mostly for businesses. The RFP the city put out did not include paper or cans. Those two commodities are the biggest money makers, especially in a rural program. The bid also did not include a pricing unit. As a small business person they are running diesel trucks down the road that are high maintenance and cost \$3.00 a mile just to put that truck on the road. She did not have the deep pockets to afford a loss in cost to keep her trucks on the road. Regarding the carbon footprint, Waste Management was going to haul those materials all the way to Prescott Valley, compact everything together and then haul it to Surprise to get sorted. We need to keep our resources locally. She had 8 employees and she felt responsible for their livelihood. All these people live here in the Verde Valley and she thought it was really important to keep our money and jobs local.

Mayor Joens stated she had toured Kate's facility and it was excellent. She employs local people and has done an amazing, fantastic amount of work in what she does.

Council Member Elinski questioned if the significant cost difference in her estimate versus Waste Management was because of the glass.

Ms. Blevins stated no, she had \$15,000 worth of containers sitting on that site. Every time the trucks come in and out, she had maintenance, fuel, and overhead.

Council Member Elinski asked if paper and cans were included, would that affect her costs.

Ms. Blevins stated the paper definitely would. She added it to it because there was an option to say you could recycle more than what was stipulated in the RFP.

Mayor Joens asked Morgan explain that.

Mr. Morgan stated the way the RFP was written it allowed the company to provide a proposal to recycle whatever they wanted.

Council Member Dowling questioned if she submitted it including the paper and cans, if they do allow the paper and cans, wouldn't that reduce what she would have to charge.

Ms. Blevins stated paper was heavy. One cubic yard of paper was 400 pounds. One cubic yard of cardboard was 50 pounds. That site is a very windy site and they did the best they can. At the eleventh hour the Lions Club came to say they would be willing to help us because it was usually over the weekends that they got so much of the activity.

After further discussion regarding the RFP and changing the location of the recycling bins, Mayor Joens moved to table this item. The motion was seconded by Vice Mayor Pfeifer, and carried unanimously. The direction was to bring this item back at the next work session.

Mr. Bartosh asked for direction from the council in terms of what other information they were looking for. They heard about looking at a site outside the fence, and questioned if they wanted staff to look at other sites other than the 6th Street site.

Council direction was to look into manning the compactor site 7 days a week for recycling, and to work with the Lions Club to look at alternate sites,

REQUEST FROM VERDE VALLEY SANCTUARY, FOR WAIVER OF SECTION 9.12.030, A., ALCOHOLIC BEVERAGES, OF THE MUNICIPAL CODE IN ORDER TO SERVE AND SELL ALCOHOL AT THE OLD TOWN ACTIVITY PARK FOR A FUNDRAISER EVENT SCHEDULED FOR OCTOBER 5, 2013.

Ms. Jiménez stated the Verde Valley Sanctuary was requesting to serve and sell alcohol for a fundraiser music festival they have scheduled for October 5, 2013, at the Old Town Activity Park. Section 9.12.030, A., of the Municipal Code prohibits the possession and consumption of any alcoholic beverage in any city park or building other than beer and other malt beverages that are allowed at the Riverfront Park softball field complex. There have been other events the council has waived the prohibition of liquor for in the past.

Council Member Pratt stated we have set a precedence by doing that and we should really support the sanctuary as much as we can because they've done a great job of serving some of our citizens who are in the most need of their services.

Mayor Joens asked if there was anyone from the public who wished to address this item, and there was not.

Council Member Pratt then moved to waive 9.12.030, A., of the Municipal Code to allow Verde Valley Sanctuary to serve and sell alcohol at the Old Town Activity Park for a fundraiser music festival schedule for October 5, 2013, subject to approval by the Arizona Department of Liquor Licensing and Control. The motion was seconded by Council Member Elinski, and carried unanimously.

SPECIAL EVENT LIQUOR LICENSE APPLICATION SUBMITTED BY MELINDA SWIGER, APPLICANT FOR THE VERDE VALLEY SANCTUARY, FOR A FUNDRAISER EVENT SCHEDULED FOR OCTOBER 5, 2013, AT THE OLD TOWN ACTIVITY PARK

Council Member Dowling moved to recommend approval of the Special Event Liquor License application submitted by Melinda Swiger, applicant for the Verde Valley Sanctuary, for a fundraiser event scheduled for October 5, 2013, at the Old Town Activity Park. The motion was seconded by Council Member Pratt, and carried unanimously.

SPECIAL SERVICES AGREEMENT WITH GROCK PRODUCTIONS FOR THE RHYTHM AND RIBS EVENT.

Mr. Allen stated they went out for RFPs for a company that would help out with the Rhythm and Ribs event for the barbeque competition, booking national entertainment, fundraising sponsorships, and moving the program to the next level. He introduced Gigi and Ron of Grock Productions which were one of the companies that bid and staff felt they were the most advantageous for us. Out of pocket it was not going to cost anything that wasn't already associated with the program. They would make \$1.00 off each ticket, ten percent of beer sales, whatever they bring in for sample tickets was theirs and whatever they bring in for vendor sales is theirs.

Gigi stated the web site that was projected on the screen was live and Al Grock was the web designer who took approximately 72 hours to get this information up because we had 100 days to get this and it was now out nationally.

Council Member Pratt stated it was a great idea and could see what was happening with Thunder Valley Rally and liked the fact they were hoping to get this partnership and had already been proactive and had done a lot of work.

Mr. Allen then went over their resume and the people and events they had worked with.

There was further discussion regarding the vendors paying for the space at the event and GRock receiving the proceeds for renting the spaces, and they would utilize the Kansas City Barbeque Sanctioning for announcing the event nationally for barbeque teams to compete for points and money to expand the event this year.

Council Member Pratt moved to approve the special services agreement between the city and GRock productions confirming partnership on the city's Rhythm and Ribs festival. The motion was seconded by Vice Mayor Pfeifer, and carried unanimously.

CONSIDERATION OF WAIVING SECTION 9.12.030, A., ALCOHOLIC BEVERAGES, OF THE MUNICIPAL CODE TO ALLOW CONSUMPTION OF BEER AT THE CITY'S COMMUNITY GARDEN LOCATED AT RIVERFRONT PARK

Ms. Jiménez stated some of the gardeners at the city's Community Garden were very active and gathered at the site after weeding to visit with each other and had asked if they could drink beer. She let them know of the prohibition of liquor at city parks and buildings other than the softball fields, and that she would request a waiver from the council so they could drink beer at the garden.

Council Member Garrison stated the wine consortium met in the BAC building and he was not aware of the prohibition of liquor in city buildings and somebody may want to bring a bottle of wine to a meeting to show a new product that was going to be available and asked how they could deal with that.

Mr. Bartosh stated that was something they could bring to the council to take a look at. The council has allowed exceptions for city buildings and they could bring something back to the council to take a look at.

Council Member Pratt stated we should let the gardeners have a beer with each other after working in the heat.

Council Member Dowling moved to waive Section 9.12.030, A., to allow consumption of beer at the city's community garden. The motion was seconded by Council Member Elinski, and carried unanimously.

PARTICIPATION OF THE CITY IN THE NEWLY FORMED SUB-WAC OF THE WATER ADVISORY COMMITTEE (WAC) AND LEVEL OF FUNDING SUPPORT FOR WAC

Mayor Joens stated Tom Whitmer had a personal emergency with a dear friend. He gave his opinion in the communication form regarding this matter.

Council Member Elinski stated he read through it and would agree wholeheartedly with his recommendation.

Mayor Joens stated we were still discussing the letter the council directed us to write, but things change so quickly, we still haven't sent it yet. We talked about that we still want to work together and Cottonwood has always wanted to work regionally. Our suggestion will be, with the recent letter from Senator McCain, that we look at a similar group as the WAC is with the Board of Supervisors being a member.

Council Member Pratt stated it concerned him that this whole WAC thing has become so political and we've split it into two groups when the water issue is really the whole region. What happens over there affects over here, and we have to work together on that. He would support his recommendation too.

After further discussion regarding the split of the WAC, Mayor Joens moved to continue our relationship with the full WAC and that Tom, council had directed that Tom will attend those meetings on our behalf and report back to us, that we will cut funding to the whole WAC by half to \$6,032.50, until such further notice that we change our minds and that we will not participate at this time in the sub groups, and that we will continue to do everything in our power to work regionally on a watershed level to protect the Verde River and provide water for people. The motion was seconded by Council Member Pratt, and carried unanimously.

CLAIMS & ADJUSTMENTS

Council Member Elinski moved to pay the claims. The motion was seconded by Council Member Jauregui, and carried.

ANNUAL REVIEW OF THE CITY CLERK – EXECUTIVE SESSION. PURSUANT TO A.R.S. § 38-431.03(A)(1), THE COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO CONDUCT ITS ANNUAL PERFORMANCE EVALUATION OF THE CITY CLERK, SUBJECT TO THE CITY CLERK’S RIGHT TO COMPEL THE COUNCIL TO DISCUSS THIS MATTER IN OPEN MEETING

Mayor Joens stated the City Clerk had been sent her 24 hour notice letter and she would like to hold the meeting in executive session.

Council Member Garrison moved to move into executive session. The motion was seconded by Vice Mayor Pfeifer, and carried unanimously.

DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY CLERK’S EMPLOYMENT AGREEMENT.

After resolving back into regular session, Council Member Elinksi moved to give the City Clerk a three percent merit increase. The motion was seconded by Council Member Jauregui, and carried with dissenting votes by Vice Mayor Pfeifer and Council Member Garrison.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Dowling, and carried unanimously. The regular meeting adjourned at 8:51 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 July 2, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date