

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD AUGUST 14, 2012, 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 work session to order at 6:05 p.m.

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor
Jesse Dowling, Council Member
Ruben Jauregui, Council Member
Terence Pratt, Council Member
Tim Elinski, Council Member
Linda Norman, Council Member

COUNCIL MEMBERS ABSENT

Karen Pfeifer, Vice Mayor

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Steve Horton, City Attorney
Matthew McLean, Deputy Clerk
Dan Lueder, Utility Services General Manager
Jody Fanning, Police Chief
Charlie Scully, Planner
Morgan Scott, Development Services Operations Manager
George Gehlert, Community Development Director

ITEMS FOR DISCUSSION, CONSIDERATION, AND POSSIBLE DIRECTION TO STAFF:

EXPANSION OF THE OLD TOWN HOLIDAY LIGHT PROGRAM AND REQUEST FOR ADDITIONAL FUNDS FOR THE PROGRAM FROM THE COUNCIL'S CONTINGENCY FUND

Mr. Bartosh invited Dave Kessel from Yavapai Broadcasting to discuss the possible expansion of the holiday light display. They are looking to add lights to City Hall, the Business Assistance Center and the old Police Substation. They also want to put on a light show with music. Yavapai Broadcasting will put the lights together and programing and help our crews get them installed.

Mr. Kessel stated he would like to increase the holiday light display in Old Town. He stated they would be matching the funds from the Council. The music playing would also include sponsorship messages.

Council Member Pratt stated this is a no brainer.

Council Member Elinski asked if he has talked to any sponsors yet.

Mr. Kessel stated he has not talked with sponsors yet. He felt that any sponsorship they do receive should be reimbursed to the city.

Council Member Jauregui asked if they would be matching the \$15,000.

Mr. Kessel stated they would be matching the \$15,000 and probably more so.

Council Member Dowling stated he would like have a viewing area.

Council directed staff to bring it back on a regular meeting for consideration.

RELOCATION OF THE COTTONWOOD DOG PARK FACILITY

Mr. Scott presented a proposal to move the dog park. Staff has identified three potential locations: One near the Humane Society on Mingus Avenue; the north clear zone of the Cottonwood Airport across the street from the auto body shop; and near the reclaimed water pond on Mingus Avenue.

Mr. Bartosh stated we have received complaints about the noise coming from the dog park and looking at our call for service data, it looks like there was 26 complaints in about a two year period. A majority of those complaints come from one resident. The paper reported that there were complaints from the RV park, but he is not aware of any of those. They had talked with the primary complainant and talked about things staff have been doing to try and reduce the noise such as having a much more active patrol down there and having them ask dog owners to control their animals more closely. Staff has posted signs along the fencing to request respect for the neighbors to keep the noise down. Staff has also made it very clear about the hours of operation of the park. It is open from six in the morning until eight o'clock at night. The sprinklers go on at eight o'clock at night. Staff has done as much as he thinks they can with the existing staff.

Mr. Scott reviewed the three sites:

Humane Society Location

Benefits:

- Easily Accessible
 - May be monitored by nearby transfer station attendant
 - 450' from the nearest residence
 - Located near humane society where noise is not an issue
 - Area: approximately 100'x200' (approximately 0.45 acres)
- Current dog park area: 200'x300' (approximately 1.38 acres)

Concerns:

- Some uneven Terrain
- Reclaimed water within 200'

Additional Costs:

- 1) Fence: 1,010' of fence @ \$12/foot = \$12,120
- 2) 10 space gravel parking lot = \$1,000 (cost estimate assumes work is conducted by City)

Council Member Elinski asked about the washes in that area and how they were going to deal with them.

Mr. Scott stated they would either divert them or even out the total area so it would flood on some occasions. It could make the area a little bit smaller if we do push the washes off to the sides. We would have to do some grading on the site.

North Clear Zone of Cottonwood Airport

Benefits:

- Easily Accessible from Black Hills Drive
- Relatively flat
- Space is not currently in use, little impact on airport
- Reclaimed water already on site
- Over 800' from nearest Residence
- Area: approximately 1.4 acres, more space available
- Current dog park area: 200'x300' (approximately 1.38 acres)

Concerns:

- Possible future airport expansion may impact site

Additional Costs:

- 1) Fence: 1,050' of fence @ \$12/foot = \$12,600
 - 2) 10 space gravel parking lot = \$1,000 (cost estimate assumes work is conducted by City crews.) Parking lot will remove approximately 0.1 acres from the site.
 - 3) Irrigation: \$0.00 (irrigation already in place)
 - 4) TOTAL EST. COST: \$13,600
- a. Price per acre: \$9,714.29

Council Member Elinski asked about the future expansion of the airport.

Mr. Scott stated the expansion of the airport is included the airport master plan. That includes things that could happen in the future. The runway extension may happen in the future, but it is not happening anytime soon. It is not something we are pushing for at this time.

Mr. Bartosh asked if using that area requires FAA approval.

Mr. Scott stated it does not.

Reclaimed Water Pond

Benefits:

- Easily Accessible
- Relatively flat
- Space is not currently in use

- Reclaimed water already on site
- Large distance from any residence
- Area: approximately 1.15 acres
- Current dog park area: 200'x300' (approximately 1.38 acres)

Concerns:

- Land is currently leased and would need to be purchased/leased by the City

Additional Costs:

- 1) Fence: 900' of fence @ \$12/foot = \$10,800
 - 2) 10 space gravel parking lot = \$1,000 (cost estimate assumes work is conducted by City crews.) Parking lot will remove approximately 0.1 acres from the site.
 - 3) Irrigation: \$4,100
 - 4) TOTAL EST. COST: \$15,900 + cost to purchase/lease property
- a. Price per acre: \$13,826.09

Mayor Joens asked if they had any conversations with the lessee.

Mr. Scott stated we have not specifically about this site; however the city does have a very good relationship with the lessee.

Mayor Joens stated it is hard to make a decision on this site when you don't know the cost or the time it would take.

Council Member Pratt stated he hopes that the Cottonwood citizens recognize that the City is reacting to citizen's complaints and taking this seriously. He is concerned about the first site being too close to residences. The third site he is hesitant about because of the lease and the extra cost. 800 feet from a resident is pretty good and considering all things being equal, he would prefer the second site.

Mr. Scott stated the current dog park is 100 feet from the nearest resident.

Council Member Elinski stated he is disappointed that we are considering moving it out of Riverfront Park and thinks that is a better place to have a dog park.

Mr. Scott stated there is other space at Riverfront Park and in fact the current location of the dog park is planned for soccer fields. There is one area that is farther east at the park, but it would be closer to residents on that end.

Mayor Joens stated the soccer field idea was something we came up with after the dog park. It wasn't a long term plan.

Mr. Bartosh stated he wasn't really sure on that.

Mayor Joens stated she was pretty sure.

Council Member Jauregui stated he agreed with Mayor Joens and that was true. He would

like to see more information on all of the sites so we can have it ready for our next regular meeting. He would like to try and use the fencing that we currently have at the dog park.

Mr. Scott stated we could do that, however we would need to close down the dog park while we move the fencing or it can be used for future use. It is difficult to restretch chainlink fence.

Council Member Elinski stated he would also like to see the cost involved in constructing a sound barrier or wall along residents near the dog park.

Mr. Bartosh stated that is an option we looked at, but it would cost several thousands of dollars. But they have looked at constructing a cheaper sound barrier along the southside of the dog park but we aren't sure that would resolve the complaint.

Council Member Elinski stated the technology is available to do that.

Mr. Scott stated a six foot tall wall would cost approximately \$700 for 30 feet. Another problem is the dog park sits lower than the residence.

Council Member Norman stated since this coming back at a regular meeting she would like to know more about option three since it is the furthest from any residence and hopefully wouldn't have to be moved again, even if it costs a little bit more money.

Council Member Dowling stated it's important for folks to know that we are not moving the dog park tomorrow. We are just trying to go through the process, and it took us two years to get it approved in the first place. It might take a little bit of time to work on what is going to happen with it. He hopes we can all come together and reach a consensus as a community and move ahead together rather than letting this topic cause a lot of strife and division. We are just here to try and move everyone ahead.

Mayor Joens opened the floor to the public.

Janice Allen spoke against keeping the dog park. She lives 73 feet from the dog park and it is very disturbing to her home. She would like it moved.

Darold Smith, from Cottonwood, stated he attended a birthday party for Ms. Allen on Eighth Street and heard the dogs barking from the dog park. He recommended that the park be closed immediately.

Jody Wheeler, from Verde Village, felt sorry about the noise coming from the park. She would like to see the park stay at Riverfront Park. It costs \$35,000 to build the dog park.

Daniel Meyers spoke against the dog park and blamed the council for not doing anything about it.

Pat Gunnells spoke in favor of the dog park and would like the city to keep it.

Carolle Kimble spoke in favor of the dog park.

Carol Lucas spoke against the dog park.

Dolores Harris spoke in favor of keeping the dog park at Riverfront Park.

Janice Johnston spoke against relocating the dog park near Cottonwood Ranch.

Jessie Johnson spoke against of keeping the dog park at Riverfront Park.

John Livingston spoke against of keeping the dog park at Riverfront Park.

Myrelle McHale spoke in favor of keeping the dog park at the Riverfront Park.

Mr. Bartosh stated that one of the things he has heard is that the City should have planned this better and shouldn't have put it too close to the residents. We actually started with the dog park behind City Hall which was within 75 feet of residential areas. We never received any complaints about dog noise within that period of time. So we didn't anticipate that was going to be the problem here as well. He thinks we need to look at all the options and see what we can do make this a non-issue.

Council Member Dowling stated he believes that we should look at the cost of moving the dog park.

Mr. Bartosh stated whatever we put up at Riverfront Park wouldn't go to waste if we moved the dog park anyway. Eventually something will be done with that property that will bring more people to that area and we will probably need to shield some of the noise that will come out of that area.

Mayor Joens stated if we looked at putting up the noise fence we would still in the future benefit those residents anyway.

Mr. Bartosh stated the figures presented tonight don't include labor cost and we could easily get to \$35,000.

Council Member Pratt stated at \$700 per 30 linear feet for a sound barrier wall for 300 feet for about \$7,000.

Council Member Dowling stated it will probably need to be higher than six feet and have a deflector at the top of it.

Mr. Bartosh stated that could be an interim solution and if that still doesn't work, then there isn't a tremendous loss in doing it.

Mayor Joens stated the trees that people paid for are already there. There is a lot to this and lot more than meets the eye.

Council Member Pratt stated he has been down to Mrs. Allen's property and in that whole area people do have legitimate concerns.

Council Member Dowling stated we should look at the possibility of moving the trees that are there now.

Mr. Scott stated we can move the trees and it is expensive. One benefit of the second option is there are already mesquite trees there. Staff can bring that information back at a different meeting.

Council Member Pratt stated he would also like to see staff look into different types of sound barriers.

Mayor Joens suggested like a row of evergreen trees. They did that at the park where her husband works near lamplighter village.

Mr. Bartosh stated staff will come back with not only more defined costs for the different locations, but also an option for sound barriers to keep it at Riverfront Park.

Mayor Joens stated we should bring this back at another work session next month on September 11.

Council Member Jauregui stated he understands that we are going to have another work session on this, but there are people who are being disturbed now so he thinks that maybe we could even have a special session to discuss this item when staff gets the information. And we can get the ball rolling here instead of putting it off a month and then another few weeks and another few weeks.

Mayor Joens stated she like Council Member Jauregui's idea.

Mayor Joens stated so as soon as the information is available, we will have a special meeting. It should be posted at the dog park when the information is available.

Mr. Lueder asked if Council wanted staff to look at all three sites with information for the current site to keep the sound down.

Council Member Pratt stated the best solution would be to not move the dog park, but abate the noise totally.

Mayor Joens stated on the third site, she would like staff to talk with the lessee and how long it will take to get that site.

Mr. Lueder stated he will make a call to that person tomorrow.

Mayor Joens stated if there is no way to do that quickly, should the Council and the community move it there, then why waste our time.

Council Member Pratt stated he would like to reject site number one since it would disturb the residents there.

The council agreed.

Mr. Bartosh stated we would face the same problem with the other sites as well.

PROPOSED AMENDMENTS TO THE ZONING ORDINANCE BY ADDING NEW SECTIONS FOR HILLSIDE AND WASH DEVELOPMENT STANDARDS

Mr. Scully presented proposed amendments to the zoning ordinance about adding hillside and wash development standards. The standards would allow developers to develop properties on slopes if they chose to. Many cities and towns around Arizona have adopted hillside development standards which would allow development to occur but place some restrictions on the steepest slopes. Staff has sent out a survey asking for input from developers on drafting the standards. He demonstrated the different slopes that developers could build on and some examples of slopes.

Council Member Dowling stated this is what he does. They had a lot in Clarkdale in the foothills that was one acre, and by the time they got done putting in their cut slope and their fill slope and making their house and parking lot, they had just enough room for a house.

Council Member Pratt stated he has read this a few times if we had an ordinance we would want to go to the developmental based standards.

Mr. Scully stated one of the things we have to be aware of is scale, are we talking about a commercial building site, subdivisions or planned developments. It needs to work and allow people to develop.

Mayor Joens stated it seems like from what she read, you protect the slope or the hill or whatever, but then they get to have more apartments or houses or whatever in the other area of their property if there is enough room. That sounded like a win win to her. She asked Mr. Horton about prop 207 and how that all works with this.

Mr. Horton stated something like this would be consistent and we can't deprive a property owner of all beneficial use of the property. He thinks having a slopes and wash ordinance is not categorically inconsistent with that, but we have to be mindful of it.

Mr. Scully showed the Council more examples of slopes.

Mayor Joens stated so if someone was going to put a housing develop on a property with a slope or a hill, what you would do with one of these standards would be to ask them to preserve the view shed or the hill and then they could put more density on the property.

Mr. Scully stated that would be encouraged. There would need to be more regulations to define it, but it can be done.

Council Member Elinski stated he sees the need for this and it is very complicated, but he wondered if we applied the draft ordinance to Jerome, what would Jerome look like now. Jerome is unique and they didn't do a lot of cutting and filling.

Mr. Scully stated he has noticed that Jerome has kept from further development going in there. It would be something they would need to study.

The council discussed the different types of developments for slopes.

Mr. Gehlert stated one of things you have here is something that is tangible and written down, where in the past it was kind of a negotiated process that we were wading through with the planning and zoning commission.

Mayor Joens stated if it was a small lot, would they think about exempting them from it then, because how many mountains could have on your small lot.

Council Member Elinski stated if it's a small lot you can't do anything the bigger lots can do so you are limited anyway.

Mr. Gehlert this would be most applicable to the larger lots anyway and are the easiest to apply.

Mayor Joens stated we are talking about planned area developments anyway from what I'm reading.

Council Member Elinski stated this would apply to everybody. But practically speaking, he understands that it would only apply to the large lots.

Mr. Gehlert stated once the density is in place it would be harder to deal with, especially on a smaller lot.

Council Member Dowling stated part of what this says is we would be looking at more infill now. Previously non-desirable parcels would become desirable because there is nothing else to do.

Council Member Elinski stated he is interested in the density transfer option and really encourages infill in Cottonwood.

Council Member Dowling stated at the same time we need to leave exceptions in there for exceptional parcels.

Mayor Joens asked how we would write the ordinance to allow some wiggle room for exceptional exceptions.

Mr. Lueder stated one of the things we could do is sit down with Mr. Horton and put a clause at the end for exceptional ones. The two options would be to allow administrative exceptions or it could require a planning and zoning exemption. We could add some special conditions in there for unusual situations.

Council Member Elinski stated he would like to see some cutoff on the lot size so that there would not be so many requirements. He thinks there should be exceptions.

Mr. Lueder stated the ordinance is written for the large developments.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Elinski, and carried unanimously. The work session adjourned at 8:16 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 work session of the City Council of the City of Cottonwood held on August 14, 2012. I further certify that the meeting was duly called, and that a quorum was present.

Matthew McLean, Deputy Clerk

Date