

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD SEPTEMBER 13, 2011, AT 6:00 P.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 work session to order at 6:00 p.m.

COUNCIL MEMBERS PRESENT

Diane Joens, Mayor  
Karen Pfeifer, Vice Mayor  
Jesse Dowling, Council Member  
Ruben Jauregui, Council Member  
Terence Pratt, Council Member

COUNCIL MEMBERS ABSENT

Tim Elinski, Council Member  
Linda Norman, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager  
Steve Horton, City Attorney  
Matthew McLean, Deputy Clerk  
George Gehlert, Community Development Director  
Charlie Scully, Long-Range Planner

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

PRESENTATION OF A STUDY CONDUCTED BY NAU REGARDING TOURISM AND THE WINE INDUSTRY

Thomas Combrink, Senior Research Specialist for the Arizona Hospitality Research and Resource Center and Arizona Rural Policy Institute presented the results of a study they had conducted in relation to the Wine Industry Tourism. The study provided data on the types of visitors, how much money is spent and how long they stay in the area. The full study can be found on the internet at <http://home.nau.edu/ahrrc/library.asp>.

REQUEST TO OPERATE A COMMERCIAL HORSE DRAWN CARRIAGE BUSINESS IN OLD TOWN

Jackie Odom, owner of the Gypsy Wind Carriage Company, to conduct a horse carriage operation along portions of North Main Street and Pima Street in Old Town. The carriage currently operates during the Farmers Market on Thursday evenings. She is seeking approval to operate approximately four to five nights a week to provide a carriage ride in Old Town.

Mr. Gehlert informed Council that since this was unique and cannot be applied to the municipal code, staff would work on an agreement with Mrs. Odom that would have liability coverage for the city; confinement to a specific route; safety equipment; operating standards

such as horse tending, a minimum number of passengers; animal health and safety, maintenance including cleaning up of fecal matter; and penalties for any violations.

Mayor Joens read from a letter sent by Mary Eichman. Ms. Eichman asked if there would be liability insurance coverage and if the city would be open to litigation if there was an accident, if it was used to motorcycles and the path of the carriage.

Mr. Horton stated the city can be exposed to litigation on anything we do. We can limit the risk by having an agreement that requires the permittee to do certain things and do indemnify the city with insurance.

Mayor Joens asked how much insurance should be required.

Mr. Horton stated they would explore exactly how much insurance coverage Mrs. Odom will have to carry to operate her business.

Ms. Odom stated the horse is use to motorcycles and emergency vehicles.

The Council discussed the possibilities of tours and ensuring proper safety for the public is available.

Mrs. Odom stated she is very safety conscience and is looking at creating a tour. She can move the horse and carriage off to a side street or parking lot if she needs to and the total rig is only 16 feet long and about 4 feet wide.

Mr. Horton stated he will do some research to ensure that we don't have to change any part of the municipal code.

The Council directed staff to prepare an agreement with Mrs. Odom and bring it back to Council for consideration.

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

Andy Groseta discussed with the Council the possibility of seeking support for the Arizona Cattle Grower's Association's Save Arizona's Forest Environment Plan. The plan would allow for harvesting of trees and allowing cattle to graze on national forest land in hopes of controlling wild fires. The plan is looking to suspend the National Environment Policy Act. Other Arizona cities and towns have supported this initiative. They are looking for a resolution from the city showing support for the initiative. The full plan can be found on the internet at <http://library.constantcontact.com/download/get/file/1104839038625-43/SAFE+PLAN.pdf> or from the City Clerk's office.

Council Member Pratt would like to have public comments on this matter.

The Council discussed the current state of forest and the lumber industry.

Bob Oliphant, resident of Cottonwood, was in opposition to supporting this and stated this is not a matter for the local government to be involved in.

Vice Mayor Pfeifer disagreed with Mr. Oliphant stating the public feels closer to the City Council because that is the only time they are heard.

Mayor Joens disagreed with Mr. Oliphant stating it is our land and she believes that this is a local issue.

The Council directed staff to bring the resolution back to a regular meeting on October 4 for consideration and allow for public comment.

#### PROPOSED AMENDMENTS TO THE COTTONWOOD ZONING ORDINANCE TO ALLOW KEEPING OF CHICKENS IN CITY LIMITS

Mr. Gehlert presented to Council for discussion adopting a change to the zoning ordinances to allow the keeping of chickens in residential areas. The proposed changes to the zoning ordinance staff is recommending are the chickens be confined to the R1 and R2 residential zones, conform to all applicable Yavapai County Health standards; keeping shall also be subject to the same standards as show animals; the number of chickens is limited to six per household; roosters are prohibited; outdoor slaughter is prohibited; containment area shall be located a minimum of 15 feet from property boundaries; and an issuance of an annual permit by the Community Development Department. Staff has not considered having chickens within R3 and R4 zones, because those are multifamily zones for apartments and smaller lot sizes.

Mayor Joens stated this ordinance change came from Council Member Elinski and was supported by Mayor Joens. Both of them have seen a lot of action in the community to go back to our agriculture roots and allow people the opportunities to raise their own foods. Mayor Joens supports the permit process.

Council Member Pratt stated he would like to hear public input on this issue.

Mayor Joens stated she was on the Planning and Zoning Commission that allowed the 4H kids to raise animals and we haven't really had problems with those kids raising animals.

Vice Mayor Pfeifer stated she likes roosters and doesn't see a problem with allowing them.

Council Member Dowling stated he sees this as result of the downturn in the economy and as long as it is controlled by the zoning process doesn't see how this could be a problem.

Council Member Jauregui stated he doesn't see a problem with slaughtering a chicken outside.

Council Member Pratt stated we should bring it back to regular meeting to allow the public to talk about it.

Council directed staff to bring the proposed ordinance change back on a regular meeting for consideration to allow for public comments.

PROPOSED AMENDMENTS TO THE COTTONWOOD ZONING ORDINANCE, SECTION 406  
“PARKING AND LOADING REQUIREMENTS.” REGARDING PARKING REQUIREMENTS IN THE  
OLD TOWN HISTORIC COMMERCIAL AREA

Mr. Scully presented for discussion proposed changes to the parking and loading requirements for Old Town. The current standards in Old Town are subject to all standard parking requirements, including providing off-street parking for new and expanded uses. This requirement does not work for most properties in the area because the historic development pattern was based on building being built to the property lines on relatively small lots. The proposed amendments would correct this ongoing policy deficiency and respond to the unique conditions in this area by waiving the individual parking requirements for each property. There are public parking areas in the area and would allow for off street loading areas.

Council discussed the ordinance changes and agreed with the proposed changes.

Mayor Joens stated she would like to see some better signage for Old Town.

Council directed staff to bring back the proposed ordinance changes on a regular meeting.

PROPOSED AMENDMENTS TO THE COTTONWOOD ZONING ORDINANCE REGARDING  
POLITICAL SIGNS

Mr. Scully presented the proposed amendments to the zoning ordinance in regards to political signs. The state passed legislation requiring municipalities to allow political signs to be located in municipal right-of-way and detailed in Arizona Revised Statutes §16-1019. The amendment to the zoning ordinance will bring it in compliance with the statutes.

The Council discussed the proposed ordinance and was against the state law changes, but agreed that the city has to follow the state statute.

Duane Kirby spoke against this change and asked the Council to take a stand against the state.

Council directed staff to bring the proposed ordinance back on a regular meeting.

ADJOURNMENT

Council Member Jauregui moved to adjourn. The motion was seconded by Council Member Pratt, and carried unanimously. The work session adjourned at 7:53 pm.

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Diane Joens, Mayor

ATTEST:

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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 September 13, 2011. I further certify that the meeting was duly called, and that a quorum was present.

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Matthew McLean, Deputy Clerk

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Date