

MINUTES OF THE SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD AUGUST 13, 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 special meeting to order at 6:05 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
Terence Pratt, Council Member
Randy Garrison, Council Member

STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jimenez, City Clerk
Steve Horton, City Attorney
Dan Lueder, Development Services General Manager
Morgan Scott, Development Services Operations Manager

REQUEST FROM THE VERDE VALLEY YOUTH COMMISSION TO LEASE A BUILDING FROM THE CITY FOR USE AS A TEEN CENTER

Ms. Jimenez thanked the council for allowing this item to be placed on the agenda. As they knew, the Verde Valley Youth Commission had been meeting for a little over a year. They had a board and had been involved in fundraising efforts. They were requesting the council consider leasing the VVYC a city building at a rate similar to the Boys & Girls Club, which was \$1.00 a year, to develop a teen center. She had provided some statistics to the council from the juvenile court and had updated stats that indicate in the Verde Valley there was an 8 percent increase in referrals to the juvenile court system. The majority of the referrals were for drug offenses, domestic violence, and liquor violations. Verde Valley had a higher referral rate than Prescott and Prescott Valley. According to the After School Alliance, teen who have access to a quality afterschool program have less risk of drug use and involvement in crime. The VVYC's mission was to provide a safe environment for teens to socialize with their friends while at the same time offering them guidance and training to learn life skills and help them succeed in life. They also wanted to focus on "at risk" youth. VVYC conducted a survey of teens last fall and there were 622 responses, and 43 percent stated they would participate in a youth center if there was one available. Members of the VVYC were present tonight that would also like to address the council. She introduced Alan Marx, the treasurer and a Moose Lodge member, who was instrumental in helping VVYC out

by having the Moose Lodge take them under their 501c(3) umbrella which meant that any contributions made to the VVYC were tax deductible.

Mayor Joens stated she could vouch for Alan and his wife Cheri. They have donated many, many hours to the process and were able to get permission from the Moose Lodge to do the baking in their commercial kitchen for our fundraisers. Even though we fundraised around \$600, if you think about the amount of hours that were put into that there were a lot of man and woman hours that have been donated by a core group of people to try to raise some funds for this center.

Alan Marx stated they were here to ask for the possible lease of the old fire station. He knew there has been some controversy about the list of what needs to be done to it, but looking at the list for being a teen center, a lot of the stuff on the list we really don't need. Right now SWAT was in there and if we went by the list SWAT would have to move out because they're not in compliance. We're not here to debate compliance; we need a building. Once we get a building for this teen center the donations were going to roll in. We have contractors that want to help us, but there's nothing to build. Contractors in this area are very giving and they will help us out. Corporations will also such as Home Depot, Lowe's, and Wal-Mart; we just need an address. Once we get that address the grants and all the individual donations will start pouring in. The old fire station is so centralized with the middle school across the street, the rec center down the street, juvenile probation, and Cottonwood Village. The seniors in Cottonwood Village have so much experience and knowledge to give these kids. We want to take these kids from where they are today and possibly have them sitting where they (the council) were sitting today. Our youth is our future and we need to start working on our future now, because the children you forget today are the ones who will be arrested tomorrow.

Council Member Garrison asked if the city was to give you the building as is, how long would it take you to get it into compliance.

Mr. Marx stated there are some things on the compliance list like having HVAC units installed. There were swamp coolers on the roof and why would we have to put new HVAC units on if there were swamp coolers. The Boys & Girls Club was not ADA compliant and the city had been leasing the building to them for a long time, but if we went in that building and took the list that they gave us, he could probably add to it. He was not saying we can't improve it, which we will, but we can't do the whole scope all at once.

Council Member Elinski stated he understood there were many concerns in that building, but he had toured some city buildings that staff had recently moved out of and we do have buildings that staff is in right now that if we put a list together it wouldn't comply either. He did not think this was the issue here.

Council Member Garrison questioned how fast do you think you could bring things up to at least some semblance of code and make it safe and useable. One of the issues he always had with that building was the staircase going to the second floor was always a problem and

thinking of having that building full of teen and trying to access the second floor with that going on would be a difficult situation.

Mr. Marx stated he was not a contractor so he would have to get a contractor in there and look at it and have them tell me how long it would take them to work on it on a reasonable list.

Council Member Elinski stated the staircase was a critical area in that building. He had not toured it, but remembers they had looked at that because they were going to put the utility department in there for awhile and saw the plans for it, but he thought the staircase was very narrow and steep.

Dan Lueder, stated he agreed with Council Member Elinski. We had buildings that were very dangerous and didn't know that we still have buildings that are very dangerous. We've done a lot of work on bringing them up to code. One of the issues we have with the fire station is we're not taking something that was one-time used for public meetings and public gatherings. This was a facility that was designed as a fire station. It was up to council. We were asked to take a look at what it is to bring it up to code. The swap cooler units do not work. That was one of the complaints the ambulance building had when they were in there. There's one bathroom; it might work for a fire station, it's not going to work real good for teenage kids. We took a look at it and based on ADA and current standards if you're going to rehab a building you have to do it at current standards. We have no issues with that building being used. It's tough to sell that building because we have a lift station that is attached to the back wall. Whatever council wishes we will do, but the staircase was built by volunteer labor and there are some major issues in it. Staff isn't saying it won't work as a teen center, what we're saying is for liability sake you have to have some things done there.

Council member Pratt stated we can close off the second story; they don't need the second floor. He then questioned how many kids said they would use the teen center.

Ms. Jimenez stated 43 percent of the 622 kids that responded to the survey stated they would, with 31 percent undecided. She thought once they see there is something there they would also come by.

Council Member Pratt stated he really supported having a teen center. Everything that the commission found and said is true; we need one, we need a place for our kids. He was not sure that was the right place. We were between a rock and a hard place and we really do need to move on one and maybe we have to do that and say temporary. We need a teen center in this town and he supported that 100 percent.

Mr. Lueder stated we have some buildings around here that are for lease and potentially lease out a facility for 6 months that is set up for public interaction and see if it takes off then maybe make that bigger investment. There are plenty of vacant buildings that you might get a good lease on especially if they could write it off because they're under a 501c(3) umbrella.

Vice Mayor Pfeifer stated we lost another teen here in Cottonwood the last two weeks. She questioned what kind of a value do we put on one teen's life. She believed we need to do something to keep the kids off the street and they have no place to go.

Mr. Lueder stated he was not saying the teen center was not a good idea. If you want to get something going up quicker, it might not make sense to you right now, but think about can we find another building and work with somebody that isn't leasing it out right now and isn't making a dime and maybe they can give a favorable lease and write off the rest of it.

Mayor Joens stated this whole effort was kind of started by the churches in the community and the Presbyterian and Emanuel Fellowship volunteers are still with us. Even though she had worked a lot on it and Marianne has donated a lot of her time, it was supposed to be the community helping and we do have a great core group of community members that are very dedicated to the process. She kind of liked Dan's idea; it would show that it is a community process. She expected that the city was going to have to participate. Things like this always seem to require our support.

Council Member Jauregui stated he remembered when we were contacted by the Phoenix Suns to redo our basketball courts and they checked the courts and said they did not think they could do it because the surface wasn't suitable. Immediately we had a number of contractors not only donate their time, but material to get that done. One of the vice presidents of the Suns told him they were very impressed by the fact that this community responded that well to get that surface done and ready.

Council Member Garrison questioned what would happen to the SWAT group if they were displaced; where would they go.

Mr. Lueder stated at one time they had talked about moving them to the new communications center. We could probably find someplace for that.

Mr. Bartosh stated we can find a place for them.

Council Member Dowling stated he would like to propose the possibility of a two-prong approach and maybe look into the option that Mr. Lueder presented, but also allow the commission to get with some contractors to get some estimates of what it would take if we have some help from the community. If they can come in and take care of a lot of that list, then it was a bonus for everybody. Or if it's not possible or during that same time we can look at an alternate space that might be available as well just to keep things moving.

Mr. Lueder stated he and staff can research and see if there is anything available. Hopefully the teen center works, but this way if it's popular take a look at a permanent building for them.

Council Member Pratt stated he thought it would work. That fire station is a perfect location because it is near the schools and the rec center. He wouldn't want to through that one out.

Council Member Garrison stated he thought it was a win-win if we can get them in there. As the building sits right now it's basically unusable and even if they don't bring it up to ADA compliance it would at least be a movement in the right direction to getting it useful. If it doesn't work out at least we've made some headway into making one of the city facilities useful for something else down the road. This gives us back something more than going out and renting somebody's building to see if it works or not. At least this way we would be taking a building that we have that is unusable and creating usable space out of it.

Kathy Wombacher, who worked for juvenile probation, stated we have a real passion for these kids. She works with a lot of troubled kids, but if you would come and meet some of these kids individually these are great kids. The number one thing that she hears from the kids that come into our department and their parents is there's nothing else for the kids to do. This is a town that does not have a teen center. They don't have activities for kids and so a lot of times those are some of the reasons why those kids are out doing some of the things they are doing. These kids need mentors, they need healthy adults in their lives, and that is what we're hoping with the teen center. There's been a lot of interest here and there and people kind of fall off because we don't have a building. We don't have something concrete for people to say okay this is it. She had lived here for 40 years and she had always heard this concept of a teen center and it just hasn't happened. Camp Verde had one for awhile and our kids utilized that and loved going there and when it closed down it was really disheartening, especially for kids that don't have a lot of family support. That was where they went and were able to interact with people that really cared about kids. We've got a lot of plans for that center, a lot of people that are going to volunteer services, and she knew they had a heart and wanted this. We just need a building so we can start forming this foundation. The fire station is ideal because you have the park and the basketball court. Probation is right next door and we can kind of keep an eye on things a little bit. She had a lot of friends that were willing to help out and a lot of contractors that they knew. She knew there was a lot of churches involved and she was number one with getting kids to youth groups and stuff, but there are a lot of kids that if they feel they have to go to a church or youth group thing they are not going to participate. We need something that is community based.

Jean Nietupski stated the youth are our future and we owe it them to get them prepared to lead us in the future.

Council Member Elinski the more I think about it the more I like the ambulance building concept. It was one of those buildings the city owns but was built for a specific use that will probably never be filled again and not suited for a very good purpose into the future, so it would be ideal because of its proximity. If there was a property owner that was willing to give the teen center a shot, with the economy picking up they would likely not want to have a teen center there when they could rent that space for a lot of money. He did not think it was really the concept of the teen center to have to move and it had to be as free as possible to

operate. Before he became a carpenter he worked with at risk children from pre-school to kindergarten and he knew their needs and knew they had those needs here in Cottonwood and believed the city should move forward and put up a building that otherwise doesn't serve a great purpose at this point and give it to the teen center to give them that shot.

Council Member Pratt moved to have the city explore the option of allowing the Verde Valley Youth Commission to use the ambulance center and look into getting renovations and contractors help to renovate it, and at the same time looking for an alternative site, perhaps an empty building in town, for a temporary teen center. The motion was seconded by Council Member Garrison, and carried unanimously.

Mayor Joens stated we put a placeholder in our strategic plan on a teen center so we're still acting on our goals and objectives.

PUBLIC HEARING REGARDING THE ADOPTION OF THE CITY'S FINAL BUDGET FOR FISCAL YEAR 2013-14

Mr. Rodriguez stated before we actually adopt the budget we hold a public hearing. Since we don't have a property tax we are not required to have a public hearing, but we have for many years.

Mayor Joens opened the floor to the public for comments on the budget. There were no comments from the public and the Mayor closed the public hearing.

Mr. Rodriguez stated there were no changes from the tentative to the final budget. The final budget was sitting at about \$70,876,000. By adopting the budget there were a number of things that would happen: funding the city's merit program; the COLA/longevity plan; one reclassification that needed to be upgraded; budgeting of capital purchases; acquisition, planning and construction of capital projects; and the expenditures that were noted in the budget.

Mayor Joens requested Mr. Rodriguez to briefly go over the capital projects they were going to fund, which he did.

Mayor Joens once again asked if there were any comments from the public, and there were none.

ADOPTION OF THE CITY'S FINAL BUDGET FOR FISCAL YEAR 2013-14

Council Member Pratt moved to approve Resolution Number 2710 adopting the city's fiscal year 2013-2014 final budget as presented. The motion was seconded by Council Member Dowling, and carried.

Mayor Joens requested the City Clerk read Resolution Number 2710 by title only.

RESOLUTION NUMBER 2710

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2013-2014 AND ESTABLISHING AN EXPENDITURE LIMITATION.

Mayor Joens noted that Vice Mayor Pfeifer was away from the dais during the vote.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Elinski, and carried unanimously. The special meeting adjourned at 7:08 p.m.

Karen Pfeifer, Vice 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 special meeting of the City Council of the City of Cottonwood held on August 13, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Matthew McLean, Deputy Clerk

Date

MINUTES OF THE WORK SESSION OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD AUGUST 13, 2013, IMMEDIATELY FOLLOWING THE SPECIAL MEETING HELD 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 special meeting to order at 6:05 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

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STAFF MEMBERS PRESENT

Doug Bartosh, City Manager
Marianne Jimenez, City Clerk
Steve Horton, City Attorney
Dan Lueder, Development Services General Manager
Morgan Scott, Development Services Operations Manager

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

REQUEST FROM ANDY GROSETA FOR THE CITY TO DESIGN AND CONSTRUCT A NEW SEWER MAIN TO SERVE PROPERTY ALONG 89A BETWEEN VERDE HEIGHTS DRIVE AND PINE SHADOWS

Mr. Lueder pointed out on the screen a photo of the large commercial parcel and where staff ran the new water line up to Pine Shadows. As part of that there are stub outs for water. Mr. Groseta approached him and the city manager and asked if the city would have interest in helping him to develop a sewer line. The sewer line would tie into down on Broadway, about 4,265 feet. Mr. Groseta has requested the city consider designing, constructing and paying for this line which would probably be in excess of half a million dollars to put the pipe in.

Council Member Elinski asked how our impact fees work in relation to new development.

Mr. Lueder stated impact fees don't pay for the extension of the lines. The impact fees on water pay for the production, storage and pumping capabilities. Impact fees on wastewater pay for treatment. Normally the developer will bring the line in and potentially put in a recapture agreement.

The council discussed how other developers have installed water and sewer lines, and that Bella Montaña is going to build their sewer and water lines and treatment facility and after it was built the city would take it over.

Mr. Groseta stated he has been trying to get some economic activity started on the property and it would help a lot. The property is 129 acres and there is development all around it and was the largest infill property that was undeveloped in the city limits. It has about a mile of highway frontage. In December of 2003 and January of 2004, Home Depot had entered into a contract to acquire the southeast corner of Groseta Ranch Road and the highway. At that time they had two major issues to deal with; sewer and water. At that time they had neither and the closest water supply was on Scenic on the old Jerome Highway. In the meantime they went away and bought the old Wal-Mart site. In the last three or four years the city ran a pipeline along the highway and there are five water taps now along the highway. He has had discussions with numerous folks about this property for an assisted living facility and a conference center. Once they have interest they start talking about utilities and sewer is a problem for any type of major developer. As the property moved down toward Verde Heights there was a sewer line running on Verde Heights Road and Apsco which was the road that ran to the north on the west side of the Verde Heights subdivision and there was sewer service available on Ocotillo. The south half of the property had sewer service available to it, but the Groseta Ranch Road intersection and all the way down towards Old Town and the 20 acres on the northeast corner did not have any sewer service to it. When the Home Depot folks first came to town they had discussions with the council then and Brian Mickelsen. Brian had suggested the city build a sewer line at Groseta Ranch Road at the highway and go down and gravity flow into Old Town. In the master plan, Groseta Ranch Road was a large collector road and there was an 80 foot right-of-way that was recorded for utilities and transportation. In order to make the site attractive to out of town folks to come in and drop a major investment, sewer was a major hang up. He was here to ask the council if the town would be willing to entertain the idea to design, plan, and build and maybe set up some type of arrangement on recapture.

Council Member Pratt stated this does make a lot of sense and we really do need a hotel and convention center, and it is an infill area which he is all about rather than spreading the city out. We talked about doing this along 260 to make that attractive to businesses. By doing it along here we would also make this attractive to businesses.

Council Member Elinski stated it is ultimately on the developer to put in sewer and water lines into the property.

Mr. Groseta stated it generally is, but Prescott and Prescott Valley were aggressive in putting in infrastructure and that is why they were successful.

Mayor Joens stated the city could recoup the costs for the construction from sales and businesses.

Mr. Horton stated the city's current policy is that when a new sewer line is required to reach

a new development the developer pays, and the city will entertain entering into a recapture agreement. Anybody that ties into the main the developer has funded, over a period of a maximum of 15 years, can recoup by a formula a charge for the new taps.

Mayor Joens asked how we would recoup the cost of the sewer lines in the 260 corridor and questioned if it would be a gift.

Mr. Horton stated if it is part of a city capital plan then the city would fund it on a finding that it is in the public's benefit.

Mayor Joens asked if there was any way to recoup that from a business that might build there.

Mr. Horton stated there is a potential to make that part of the capital plan and have that be part of an impact fee program.

Mayor Joens stated the city has not done a lot of incentives to attract businesses, except for Larry Green's street where we did a sales tax rebate after he invested in the infrastructure.

Mr. Horton stated there are limitations on what cities can do.

Council Member Elinski stated we should run purple pipe as well.

Mr. Lueder stated one of the things that staff has looked at is building satellite plants. The purple pipe doesn't add a huge amount to it. We could design it and once we get some interest here, he thinks the council would feel more comfortable if there was some commitments to build there.

The Council discussed the well that was already on the property.

Council Member Elinski stated he has concerns about setting a precedent for favoring one property owner over another.

Council Member Dowling stated he sees adding that line adds value to that property for the private development market, not the public development market. He would like to have a design for that to encourage people to come in, but he doesn't know if we need to hang the whole thing on the tax payers to make it more sellable for a private individual.

Mr. Groseta stated whoever spends the money on this and has the ability to do that, it is for the public good. We just need to get somebody there to get started.

After further discussion, Mayor Joens stated the direction that she heard from council was for staff to go ahead and look at a design and bring it back to council with a price and any other information at another work session.

REPLACEMENT OF PLAYGROUND EQUIPMENT AT RIVERFRONT PARK

Mr. Scott stated last year we budgeted \$40,000 to replace and upgrade the playground equipment throughout the city and spent \$6,000 to replace the equipment at Garrison Park. We got quotes to replace the equipment at Riverfront Park, and BYO Recreation was able to give us two structures for about \$20,000. One was for 5 to 12 year olds and another for structure for 2 to 5 year olds. Staff would like to put the second structure on the other side of the ramadas.

The Council discussed the location and agreed to the proposed location.

DIRECTION REGARDING CITY ISSUES & PROJECTS: FUTURE OF THE OLD PARKS AND RECREATION BUILDING; FUTURE OF THE BATTING CAGES AT RIVERFRONT PARK; MAIN STREET IN OLD TOWN CROSSWALK LOCATIONS AND DESIGN; PARTNERING WITH YAVAPAI COUNTY FOR THE MINGUS AVENUE EXTENSION MILL AND FILL PROJECT; AND UPDATE ON THE 12TH STREET RECONSTRUCTION PROJECT

Future of Old Parks and Recreation Building

Mr. Lueder stated they had received some inquiries from people interested in it. We had an appraisal done and the building itself, with the half acre parcel it sits on, appraised for \$224,000. The concept discussed at staff level was if the council gave direction to market this building we would probably give them a 10-20 foot buffer around the building and split that off into a lot and keep the rest for the city to use for parking or landscaping or whatever.

Council Member Elinski stated the appraisal indicated that the building and half acre is worth \$224,000.

Mr. Lueder stated in just simple figuring we're making an assumption that the property itself outside the building is probably worth \$30-\$35,000 and the building would probably be between \$175,000 and \$190,000. We can recalculate that if council wants us to move forward. There has been some interest in the building. It's got an issue or two, especially upstairs, but with the interest we're getting in Old Town we've kicked around everything from demolishing it and putting in a parking lot, leaving it sit there, or selling it, but if there is some interest out there it would be for someone to come and put a business in it.

Council Member Pratt stated sell it to somebody who's going to open a microbrewery.

Mr. Lueder stated we've had two people who've looked at it that have had a microbrewery in mind.

Council Member Pratt stated that would be an ideal location; another business for Old Town. The building itself, for the city to renovate it would take a lot; it's in rough shape.

Council Member Garrison stated he would love to see something happen with that building because it was such a focal point when you're pulling in to Old Town. The one concern he would have if the city was to get rid of it would be giving any of a buffer on the back side of

that building away because of how it would impact the access in and out of the Civic Center and the Civic Center parking lot. Keep that alleyway easement open so we could use it as well and it wouldn't tie off and put the parking lot out in front as a closed area would allow a little better access and flow.

Mayor Joens stated she agreed.

Mr. Luder stated when he said 10-20 feet that was kind of an average, but we would definitely keep the pathway in-between the Civic Center and this open. On the street side more than likely give them the property going out to the street and the sidewalk along Main Street. There's not much you can do there, but before we started getting into that much detail we wanted to gauge the council's interest.

Council Member Jauregui questioned if there was any historical significance to this building.

Mr. Lueder stated upstairs used to be a church from what he understood, but he knew it didn't have as much historical significance as maybe some of the other ones have down there. The potential business people that have talked to us liked the historic significance. They're not talking about coming in and tearing it down and building something else. To his knowledge it was not on the historic register.

Council Member Elinski stated he believed it was only because it was in the commercial district, and throughout the past it has had a lot of different historic uses so it was kind of unique in that sense. A lot of people on the commission would cry if it were torn down; he being one of them. He would love to see the city sell it. He toured that building today and it was in really rough shape and he had a hard time understanding how it's worth that much. We occupy a lot of buildings to the point where we've let them go and if we can get on the private market someone who is really going to care for that building and get it back to where it needs to be, he was 100 percent for it. He asked that we stipulate they can't tear it down.

Council Member Pratt stated he would support that and thinks it's worth what it is largely because of location; Old Town's hot.

Mayor Joens stated with investing some funds in it, it could be a beautiful building again and could serve a purpose like a microbrewery very easily.

Council Member Garrison stated he would be willing to lessen the cost to a person buying it if they were able to preserve the historical nature of the property and keep it there rather than raze it and put up a new structure.

Council Member Elinski stated he would be willing to do that as well. We'll have to gauge how much interest we get in it and if it doesn't go quickly then we can adjust the price.

Council Member Pratt stated he would start off with that price and be open to offers.

Mayor Joens questioned if we can reduce the price.

Mr. Horton stated with property the presumption is it's put to its highest and best use, and that underlies any value assumption in the appraisal to the extent that there's conditions, restrictions, put on the use of the property that affects the value and would affect the market value. The council could make a policy choice that it wants the building to remain in that structure and that would inform the value of the market price.

Council Member Elinski stated to that end there's an addition on the north end of it that probably doesn't add much to the building; it was just something tacked on when it was a garage. If we wanted to restrict them we wouldn't want to restrict them so excessively they wouldn't be able to modify that or tear it down.

Mr. Horton stated it was a question we may want to ask of the appraiser. Assume that right now the appraisal assumes highest and best use, whatever that happens to be, the appraiser would have to confirm that whatever condition we would have put on it to the extent it affects the value we would want to know that.

Council Member Jauregui questioned if it is sold has the money been earmarked for something.

Mr. Lueder stated he had not earmarked any money.

Mr. Rodriguez stated if we're going to do anything with it don't put it into your maintenance and operation. This is a onetime shot. Put it into our capital improvement fund for future use rather than going out and putting it in the general fund because it will disappear. The council could earmark it for something very specific if they liked to.

Mr. Lueder questioned Mr. Horton if we could put a restriction in there for a certain time period they can't demolish it unless some catastrophic act.

Mr. Horton stated subject to what he explained to council, that may affect the value of the property and what we could get for it on the market, but certainly that was lawful to do.

Mayor Joens questioned if you could do it into perpetuity or just until the next council is elected.

Mr. Horton stated it was probably an engineering question about what's practical and what's the life of the building. We can only insist on what is reasonable.

Mayor Joens stated that is something to think about because like City Hall, how many decades later we need to talk about a different use and it's tied, so you wouldn't want to do it into perpetuity.

Mr. Horton stated we might be talking about two different things. With City Hall that reverter was tied to the use of the property.

Mayor Joens stated most of the council was saying is we would like to sell it to a really great business that would bring sales tax to the citizens of Cottonwood and we would like to put some restrictions on tearing the building down, at least for some years.

Mr. Bartosh stated just to make sure we're clear, if we go to sell this property we have to put it out for bid, so he didn't think it was a situation where we're going to be able to choose who goes in there and who doesn't go in there, and questioned if that was correct.

Mr. Horton stated we're going to have to make it clear that these are the conditions under which we will sell.

Mayor Joens questioned if there was a way to write into the contract that you would like to see it for certain things.

Mr. Horton stated no, it was to the highest bidder.

Mayor Joens questioned if we could change our mind and not sell it if it was something that would be really, really, awful.

Mr. Horton stated he thought the statute says we can reject any and all.

Mr. Lueder stated he thought he heard council say they want us to delineate what property would go along with this and questioned if they wanted them to bring that back for approval.

The consensus of the council was yes.

Mr. Bartosh stated the approach is to make it as minimal as possible with a reasonable area for them to operate in.

Mayor Joens stated we're going to be providing the parking anyway.

Mr. Bartosh stated he thought we wanted to control that, particularly based on what we decide to do with the rest of that city property.

Mayor Joens questioned if you split it would that will change its value.

Mr. Lueder stated what we carve out here is going to, but Mr. Bach gave us a rough property price in here and even though he's retired he still answers questions for us on things he's already done. We've got enough here that we can calculate what the appraised value should be minus what we're going to carve out.

Mr. Horton stated if it's not over half a million there may be an opportunity for the city to do something in the nature of a request for proposal. That could be tied to use and allow the council to consider the proposed use. It's only if it's over the half million dollar threshold that it must go to the highest bidder.

Mr. Bartosh stated which is what we did with the Old Jail and didn't have a whole lot of success.

Mayor Joens stated that sounds good too; keep some control over it and have it fit into the vision that the council and the Old Town Association and the citizens have for this part of town.

BATTING CAGES AT RIVERFRONT PARK

Mr. Lueder stated the batting cages at Riverfront Park were becoming a maintenance headache. They checked with Verde Valley Little League and they do not use them anymore because they have their own batting cages that were set up near the Little League fields. It is estimated they bring in \$1,000-\$1,200 a year in revenue and we were spending quite a bit of money maintaining them. Staff wanted to know if the council was interested in keeping them, upgrading them, or removing them.

After discussion, the consensus of the council was to go ahead and allow the city manager and staff to work through removing the batting cages.

MAIN STREET IN OLD TOWN CROSSWALK LOCATIONS

Mr. Lueder explained raised crosswalks and that they are usually about 12 feet long and 3 inches high at the center with a four foot wide flat area to come across. They're more of a visual site. The speed limit would be brought down to 20 miles an hour and a traffic calming island installed. Cactus and Main was kind of a mess with mismatched sidewalks. Staff's preference for placing the sidewalks was a painted crosswalk, and indicated on the photo on the screen where they would be placed.

Council Member Garrison stated he drove this every day and had an extremely long vehicle and it's already difficult to come off of Cactus and make the turn east to go back up Main Street. If you put an island in there you're going to make it even more difficult to turn. It seems the important thing would be to get the traffic slowed before they even get to the point where it's an issue with that intersection and the crosswalk rather wait until they get past the crosswalk to start slowing them down. He thought they should be slowed down before Concho's instead of after.

Council Member Elinski stated he agreed with Randy and it is difficult to get out of there.

After discussion regarding the placement of the island calming feature and the future sidewalk work in the same area, the Council directed staff to install an island calming

feature on Main Street before Concho's restaurant heading into Old Town and reducing the speed limit in Old Town to 20 miles per hours and bring the design and plan back to the council for review.

PARTNERING WITH YAVAPAI COUNTY FOR THE MINGUS AVENUE EXTENSION MILL AND FILL PROJECT

Mr. Scott stated the county approached us with a project for the Mingus extension. The top friction course is coming apart and deteriorating. The county has budgeted this fiscal year \$250,000 to conduct a mill and fill on their portion of the roadway and asked if the city would like to participate. Using their number he estimated the city's portion would be \$460,000. The portion of the city's road was larger. The county was willing to roll their money backwards a year if it was not financially possible for the city this year. They wanted to know if we roll it back are we going to participate or should they go ahead and do their portion of the project without us.

Mayor Joens stated it was really hard this item come up after our final budget is approved. She wished we could have had some communication. We annexed that land and it was our responsibility to take care of that highway and you don't want it to get in such bad shape that you can't catch up. She was in favor of participating next year because she did not know how we can other than taking money that is already appropriated.

Council Member Elinks stated he was in favor of rolling it back.

Council Member Dowling questioned if a mill and fill was the only option.

Mr. Scott stated if we do a chip seal we may have to do a micro mill first to get it level and then come in with a chip seal. Another option was a hot recycled in place because it was relatively new asphalt and had a relatively good oil content in it. A mill and fill was what their budget price is assuming.

Council Member Garrison questioned if there was anything that would stop them from doing their section however they want and we can look at how we come back and deal with the other two in our budget next year, but go ahead and get that part of it over and done.

Mr. Scott stated if we choose not to participate they'll move forward without us.

Mr. Lueder stated the Mayor brought up a good point that they brought this up to us last minute and if they're willing to put it off a year that gives us both more time to look at options.

After discussion regarding the condition of the road between Main and Rocking Chair Road, Council Member Elinski stated he would be in favor of doing a smaller section if the county wanted to move on it. He did not realize it was in such bad shape, but did not want to take money out of pavement preservation this year.

Mayor Joens questioned how much money we would save if we did it all together, which was an issue.

Mr. Scott stated he did not know. If we doubled the size of the project the unit prices tended to go down.

Mayor Joens stated when we annexed that property and took on the responsibility of it, and questioned where is it on our list of being maintained and if we had a plan for it.

There was no response from staff.

After comments regarding the amount of traffic on that road, Mr. Scott stated this was probably one of, if not the busiest, street we have. He believed it had more traffic on it than Main.

The direction given staff by the council was to wait until next year to consider working on the city's portion of Mingus Avenue between Main Street and 18th Street, and Rocking Chair Ranch Road and 89A, and encourage Yavapai County to proceed with working on the section of Mingus Avenue between 18th Street and Rocking Chair Ranch Road.

UPDATE ON THE 12TH STREET RECONSTRUCTION PROJECT

Council Member Dowling removed himself from the dais and did not participate in the discussion regarding this matter as he is employed by the engineering company working on the design of the project.

Mr. Lueder stated the gas and electric companies are working on getting the utilities moved. The easements were coming along relatively well and there are three people that were holding out that staff was going to meet with next week.

Mr. Scott stepped in and stated the Malone property was about three properties north of Fir with very large, mature pine trees. As the street is currently designed, about 8 of those trees would end up coming out with the project. They had been working with the property owner and came to a negotiated price for the trees which was about \$4,500. The other thing the property owner was worried about was if the other two trees died because of the result of our work. They worked out with a local nursery giving them two years at a price per tree of \$564 for the tree, installation, and bringing irrigation to it. If they narrowed the sidewalk to 4 feet instead of 6 feet in front of their property they would not have to remove any trees.

After discussion regarding the situation, the Council directed staff to keep the sidewalk width at 6 feet along the Malone property and compensating them for the removal and replacement of their pine trees that had to be removed as part of the 12th Street reconstruction project.

ADJOURNMENT

Mayor Joens moved to adjourn. The motion was seconded by Council Member Pratt, and carried unanimously. The work session adjourned at 9:18 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 work session of the City Council of the City of Cottonwood held on August 13, 2013. I further certify that the meeting was duly called, and that a quorum was present.

Marianne Jiménez, City Clerk

Date