

**SUMMARY REPORT  
OF COUNCIL ACTION TAKEN AT THE FEBRUARY 3, 2009, REGULAR MEETING**

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This summary is a statement of legal actions taken by the Cottonwood City Council at a regular meeting pursuant to A.R.S. § 38-431.02(D), and is being provided as required by A.R.S. § 38-431.01(D.).

**Council Members Present:** Mayor Diane Joens, Vice Mayor Karen Pfeifer, Council Members James Chapman, Tim Elinski, Duane Kirby, Linda Norman, Terence Pratt.

Mayor Joens called the meeting to order at 6:00 p.m.

APPROVAL OF MINUTES—Regular Meetings of January 6 & 20, 2009

The Council unanimously approved the minutes with a minor correction to page 7 of the January 6 minutes.

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

ORDINANCE NUMBER 530—AMENDING TITLE 9, PUBLIC PEACE, MORALS AND WELFARE, CHAPTER 9.08 OFFENSES AGAINST PROPERTY, OF THE MUNICIPAL CODE BY ADDING A NEW SECTION 9.08.080, DEFACEMENT OF PROPERTY, AND SECTION 9.08.090 REMOVAL OF GRAFFITI; SECOND & FINAL READING

The Council unanimously approved Ordinance Number 530, which adds two new sections to Chapter 9.08 Offenses Against Property, of the Municipal Code, pertaining to regulations regarding graffiti prohibition and removal.

Ordinance Number 530 goes into effect on March 5, 2009.

ORDINANCE NUMBER 538—AMENDING ARTICLE II, DEFINITIONS, SECTION 201., GENERAL, OF THE CITY OF COTTONWOOD ZONING ORDINANCE BY ADDING THE NEW DEFINITIONS OF “CAMP” AND “CAMPING”, UNDER ARTICLE II, DEFINITIONS, SECTION 201., GENERAL, AND AMENDING ARTICLE IV, ZONING DISTRICTS, SECTION 404., GENERAL PROVISIONS, BY ADDING A NEW SUBSECTION X., “CAMPING WITHIN THE CITY LIMITS” TO SECTION 404., GENERAL PROVISIONS; SECOND & FINAL READING

The Council approved Ordinance Number 538 (with a dissenting vote by Council Member Elinski), which amends Section 201. Definitions., of the Zoning Code to add new definitions for Camp and Camping, and Section 404. General Provisions, of the Zoning Ordinance by adding a new section for Camping within the City Limits. This amendment is intended to primarily address camping on private property.

Ordinance Number 538 goes into effect on March 5, 2009.

ORDINANCE NUMBER 539—AMENDING THE MUNICIPAL CODE OF THE CITY OF

COTTONWOOD BY ADDING A NEW CHAPTER 8.48, CAMPING WITHIN CITY LIMITS, TO TITLE 8, HEALTH AND SAFETY; SECOND & FINAL READING

The Council approved Ordinance Number 539 (with a dissenting vote by Council Member Elinski), which amends the Municipal Code by adding a new Chapter 8.52, "Camping within the City Limits" under Title 8, Health and Safety. This amendment is intended to primarily address camping on public property, including streets, parks and other public facilities.

Ordinance Number 539 goes into effect on March 5, 2009.

CONSENT AGENDA--The following items are considered to be routine and non-controversial by the Council and will be approved by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Agenda.

ACCEPTANCE OF GRANT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY FOR THE SPECIAL WEAPONS AND TACTIC TEAM (SWAT) TRAINING AS IT PERTAINS TO THE NATIONAL INCIDENT MANAGEMENT SYSTEM

ACCEPTANCE OF GRANT FROM THE ARIZONA DEPARTMENT OF HOMELAND SECURITY AS IT PERTAINS TO THE NATIONAL INCIDENT MANAGEMENT SYSTEM FOR THE PURCHASE OF NIGHT VISION GOGGLES FOR THE POLICE DEPARTMENT SPECIAL WEAPONS AND TACTIC TEAM (SWAT)

LIQUOR LICENSE APPLICATION FOR MIGUEL ESPARZA SANTANA FOR THE EL TOREO RESTAURANT LOCATED AT 2181 HIGHWAY 89A

The Council unanimously approved the Consent Agenda items listed above.

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

RESOLUTION NUMBER 2423--ARIZONA, AUTHORIZING THE PURCHASE OF REAL PROPERTY FROM THE FOXWORTH-GALBRAITH COMPANY, KNOWN AS YAVAPAI COUNTY ASSESSOR'S PARCEL NUMBER 406-43-008

The Council unanimously approved Resolution Number 2423, which authorized the purchase of the Foxworth-Galbraith building and property to house the city's utility department and police evidence storage, for an agreed upon sales price of \$650,000.

ORDINANCE NUMBER 540--AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY AMENDING SECTION 405. B., DEFINITIONS BY ADDING A NEW DEFINITION FOR SIGN, WALKING; ADDING A NEW SECTION 405. E. 13., SIGN, WALKING; ADDING A NEW SUBSECTION J. TO SECTION 405. D. PERMITS; AND AMENDING SECTION 405. E. 10., OFF-SITE ADVERTISING BY DELETING SECTION 405. E. 10., IN ITS ENTIRETY AND ADDING A NEW SECTION 405. E. 10.; FIRST READING

The first reading of Ordinance Number 540 was held. This Ordinance will amend the city's Zoning Code by adding new regulations pertaining to sign walkers.

The second and final reading of Ordinance Number 540 will be held at the February 17, 2009, Council meeting.

REQUEST OF SUPPORT FOR THE NORTHERN ARIZONA INTERGOVERNMENTAL PUBLIC TRANSPORTATION AUTHORITY'S (NAIPTA) REGIONAL PURSUIT OF FEDERAL TRANSIT FUNDING THROUGH THE ECONOMIC STIMULUS PACKAGE & APPROVAL OF NAIPTA RESOLUTION NUMBER 09-001

The Council unanimously approved the Northern Arizona Intergovernmental Public Transportation Authority's (NAIPTA) request for NAIPTA's regional pursuit of \$25,300,000 of federal transit funding through the economic stimulus package.

YAVAPAI LIBRARY NETWORK PARTICIPATING LIBRARY AUTOMATION AGREEMENT & RATIFICATION OF REVISED RULES OF NETWORK OPERATION

The Council unanimously approved the Yavapai Library Network Participating Library Automation Agreement, which ratifies the revised rules of network operation and the method for assessing participating libraries for costs associated with the purchase, maintenance, and operation of the shared integrated library system.

SEVENTEENTH AMENDMENT TO THE COTTONWOOD AIRPARK, INC., GROUND LEASE TO CORRECT THE LEGAL DESCRIPTION OF LOT 103 OF COTTONWOOD AIRPARK

The Council approved (with a dissenting vote by Mayor Joens) the Seventeenth Amendment to the Cottonwood Airpark, Inc., Ground Lease, which corrects the legal description of Lot 103 of Cottonwood Airpark.

ORDINANCE NUMBER 541-AMENDING THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD, ARIZONA, BY AMENDING CHAPTER 2.96, AIRPORT COMMISSION, OF TITLE 2, ADMINISTRATION AND PERSONNEL.; FIRST READING

The first reading of Ordinance Number 541 was held. This Ordinance amends Chapter 2.96, Airport Commission of the Municipal Code by clarifying that the Commission makes recommendations to the City Council, and reducing the number of Airport Commission members from seven to five.

The second and final reading of Ordinance Number 541 will be held at the February 17, 2009, Council meeting.

CLAIMS & ADJUSTMENTS

The Council unanimously approved the Claims and Adjustments as presented.

ANNUAL REVIEW OF THE CITY MANAGER—PURSUANT TO A.R.S. § 38-431.03.(A)(1) DISCUSSION OR CONSIDERATION OF EMPLOYMENT, ASSIGNMENT, APPOINTMENT, PROMOTION, DEMOTION, DISMISSAL, SALARIES, DISCIPLINING OR RESIGNATION OF A PUBLIC OFFICER, APPOINTEE OR EMPLOYEE OF ANY PUBLIC BODY, EXCEPT THAT, WITH THE EXCEPTION OF SALARY DISCUSSIONS, AN OFFICER, APPOINTEE OR EMPLOYEE MAY DEMAND THAT THE DISCUSSION OR CONSIDERATION OCCUR AT A PUBLIC MEETING; THE COUNCIL MAY VOTE TO CONVENE INTO EXECUTIVE SESSION SUBJECT TO THE CITY MANAGER'S RIGHT TO COMPEL THE COUNCIL TO DISCUSS THIS MATTER IN OPEN MEETING.

The Council met in executive session to conduct the annual review of City Manager, Doug Bartosh.

#### ADJOURNMENT

The regular meeting adjourned at 8:25 p.m.