

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

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 Tim Elinski, Duane Kirby, Linda Norman, and Terence Pratt.

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

PRESENTATION OF RED CROSS MONTH PROCLAMATION TO REPRESENTATIVES OF THE RED CROSS

Mayor Joens read the proclamation that declared the month of March as Red Cross Month in the city, and presented the proclamation to a Red Cross representative.

APPROVAL OF MINUTES—Work Session of January 8, 2009; Work Session of January 13, 2009; Special Work Session of February 5, 2009; Special Meeting of February 10, 2009; Work Session of February 10, 2009; Regular Meeting of February 17, 2009

The Council unanimously approved the minutes indicated above, with the exception of the February 17, 2009, regular meeting minutes, which Council Member Kirby requested be corrected to reflect adequately his passion for a new county.

UNFINISHED BUSINESS—None

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.

APPROVAL OF FINAL PAY REQUEST FOR ARIZONA EARTHMOVERS FOR THE AIRPORT PERIMETER ROAD PROJECT

The Council unanimously approved the final pay request for Arizona Earthmovers in the amount of \$3,750.00 (and the retainage amount of \$7,145.28 to be paid after any punch list items are corrected that may be found during the final walk through) for the airport perimeter road project.

APPROVAL OF PAY REQUEST NUMBERS 9 AND 10 FOR ARIZONA EARTHMOVERS AND ACCEPTANCE OF THE WILLARD STREET EXTENSION PROJECT

The Council unanimously approved pay request number 9 in the amount of \$16,354.34, and pay request number 10 in the amount of \$52,025.12, for Arizona Earthmovers for the

Willard Street extension project and acceptance of the project.

APPROVAL OF PAY APPLICATION NUMBER 5 FOR THE AIRFIELD ELECTRIC UPGRADE PROJECT AT THE COTTONWOOD AIRPORT

The Council unanimously approved pay application number 5 in the amount of \$18,287.81 for the airfield electric upgrade project at the Cottonwood Airport.

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

APPROVAL OF IMPLEMENTING THE COTTONWOOD AREA TRANSIT CITIZEN REVIEW COMMISSION'S RECOMMENDATIONS PERTAINING TO THE COTTONWOOD AREA TRANSIT SYSTEM

The Council unanimously approved the CAT Citizen Review Commission's recommendations pertaining to the Cottonwood Area Transit. The recommendations are: 1) Improve the productivity of the CAT system without increasing program costs by: a) limiting dial-a-ride service to citizens who are unable to ride a fixed route bus; b) converting the deviated route "Catch-A-Ride" system into a fixed route system; c) adding a third fixed route with 30 minute frequency to serve the core Cottonwood area. 2) Consider and expand regional transportation needs in collaboration with other communities. 3) Provide additional fixed route service on Saturdays.

ORDINANCE NUMBER 542—AMENDING THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD BY ADDING A NEW CHAPTER 8.52, REGULATION OF FIREPLACES AND WOOD-BURNING DEVICES, TO TITLE 8, HEALTH AND SAFETY; FIRST READING

The first reading of Ordinance Number 542 was held. This ordinance adds a new chapter to the Municipal Code pertaining to the regulation of wood-burning devices, which include wood stoves and fireplaces. The purpose of these regulations are to reduce emissions of fireplaces, wood stoves, and other solid fuel burning devices so as to reduce the amount of air pollution caused by particulate matter and carbon monoxide. These regulations will apply to all fireplaces, wood stove and other solid fuel burning devices constructed or installed after the effective date of the ordinance.

The second and final reading of the ordinance will be held at the March 17, 2009, council meeting.

RESOLUTION NUMBER 2430—DECLARING THAT CERTAIN DOCUMENT ENTITLED SECTION 9.12.010, NOISE REGULATIONS, PERTAINING TO THE COTTONWOOD MUNICIPAL CODE A PUBLIC RECORD

The Council unanimously approved Resolution Number 2430, which declares Section 9.12.010, Noise Regulations, a public record.

ORDINANCE NUMBER 543—AMENDING THE MUNICIPAL CODE, CHAPTER 9.12, OFFENSES

AGAINST PUBLIC PEACE, BY DELETING SECTION 9.12.010 NOISE, IN ITS ENTIRETY AND ADDING A NEW SECTION 9.12.010, NOISE REGULATIONS; FIRST READING

The first reading of Ordinance Number 543 was held. This ordinance will delete the current Section 9.12.010, Noise, under the Municipal Code, and replace it with a new Section 9.12.010, Noise Regulations. The purposes of the regulations are to assist with enforcement for the many different types of noise producing activities which are regularly considered as excessive and a nuisance.

The second and final reading of this ordinance is scheduled for the March 17, 2009, regular council meeting.

RESOLUTION NUMBER 2431—DECLARING THOSE CERTAIN DOCUMENTS ENTITLED SECTION 104. PLANNING AND ZONING COMMISSION, AND SECTION 304. DESIGN REVIEW, PERTAINING TO THE COTTONWOOD ZONING ORDINANCE TO BE PUBLIC RECORDS

The Council unanimously approved Resolution Number 2431, which declares Section 104., Planning and Zoning Commission, and Section 304., Design Review, pertaining to the Cottonwood Zoning Ordinance to be public records.

ORDINANCE NUMBER 544—AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY DELETING SECTION 106., DEVELOPMENT REVIEW BOARD, IN ITS ENTIRETY; AND DELETING SECTION 104., PLANNING AND ZONING COMMISSION, IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 104. PLANNING AND ZONING COMMISSION; AND DELETING SECTION 304., DEVELOPMENT REVIEW, IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 304., DESIGN REVIEW; FIRST READING

The first reading of Ordinance Number 544 was held. This ordinance amends the Cottonwood Zoning Ordinance by deleting Section 106., Development Review Board, in its entirety; deletes Section 104. Planning and Zoning Commission, in its entirety and replaces it with a new Section 104., Planning and Zoning Commission; deletes Section 304., Development Review, in its entirety and replaces it with a new Section 304., Design Review. The purpose of the ordinance is to incorporate the Design Review functions with the Planning and Zoning Commission.

The second and final reading of the ordinance will be held at the March 17, 2009, council meeting.

ORDINANCE NUMBER 545—AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD BY AMENDING CHAPTER 2.56 PLANNING AND ZONING COMMISSION, SECTION 2.56.010 ESTABLISHED-COMPOSITION-MEMBERSHIP; AND SECTION 2.56.020 POWERS AND DUTIES; AND BY DELETING CHAPTER 2.60 DEVELOPMENT REVIEW BOARD, IN ITS ENTIRETY; FIRST READING

The first reading of Ordinance Number 545 was held. This ordinance amends the Municipal Code by deleting the chapter that pertains to the Development Review Board, and incorporates the Design Review functions with the Planning and Zoning Commission.

The second and final reading of the ordinance will be held at the March 17, 2009, council meeting.

DISTRIBUTION OF PROPOSITION 202 GAMING REVENUES RECEIVED FROM THE YAVAPAI-APACHE NATION

The Council unanimously approved the pass through of the distribution of the Proposition 202 gaming revenues (in the amount of \$56,000) to Mingus Union High School.

CLAIMS & ADJUSTMENTS

The Council unanimously approved paying claims and adjustments totaling \$1,372,507.84.

ADJOURNMENT

The regular meeting adjourned at 8:23 p.m.