

**SUMMARY REPORT
OF COUNCIL ACTION TAKEN AT THE OCTOBER 6, 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, Terence Pratt, and Darold Smith.

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

INTRODUCTION OF NEW EMPLOYEES—BEN KRAMER, FIRE INSPECTOR/FIRE-FIGHTER; LORI SCHNEIDER, HUMAN RESOURCES TECHNICIAN

Fire Inspector/Fighter Ben Kramer and Human Resource Technician Lori Schneider were introduced to the Council.

RECOGNITION OF STEVEN & TREVOR FAUST FOR ASSISTING THE COTTONWOOD FIRE DEPARTMENT IN THE EVALUATION PROCESS FOR THE HIRING OF 12 NEW FIREFIGHTERS

Steve and Trevor Faust were recognized for their assistance with the hiring process of new firefighters for the Cottonwood Fire Department.

PRESENTATION TO FIREFIGHTER/PARAMEDIC, TROY HOKE, THE JASON SCHECHTERLE FIREFIGHTER OF THE YEAR AWARD

This item was tabled.

PROCLAMATION—FIRE PREVENTION WEEK AND ARIZONA CITIES & TOWNS WEEK

Mayor Joens read a proclamation declaring October 4-10, 2009, as Fire Prevention Week, and October 19-23, 2009, as Arizona Cities & Towns Week.

EMPLOYEE OF THE QUARTER AWARD—BRENT KINNEY, INFORMATION TECHNOLOGY TECHNICIAN

Information Technician Brent Kinney was presented with a certificate and check for being selected as the Employee of the Quarter.

QUARTERLY SAFETY AWARD—CHERYL MISKIEL, FIRE DEPARTMENT ADMINISTRATIVE ASSISTANT

Administrative Assistant Cheryl Miskiel was presented with a certificate and check for being the recipient of the Quarterly Safety Award.

PRESENTATION BY AIRPORT COMMISSION CHAIRMAN AL GRADIJAN REGARDING AIRPORT APPRECIATION DAY

Mr. Al Gradijan, Charirman of the Airport Commission, informed the Council of the activities that would occur during Airport Appreciation Day.

APPROVAL OF MINUTES—Special Meetings of 7/29/09, 8/25/09, 8/31/09; Regular Meetings of 9/8/09; & Work Session of 9/10/09

The Council unanimously approved the minutes of the special meetings of 7/29/09, 8/31/09, the regular meeting of 9/8/09 and the work session of 9/10/09, and the minutes of the special meeting of 8/25/09 with corrections.

OLD BUSINESS—None.

CONSENT AGENDA

SPECIAL EVENT LIQUOR LICENSE APPLICATION FROM THE VERDE VALLEY FAIR ASSOCIATION FOR AN EVENT SCHEDULED ON NOVEMBER 22, 2009

The Council unanimously approved the special event liquor license application from the Verde Valley Fair Association for the Verde Valley Toy Run event scheduled for November 22, 2009.

WINE FESTIVAL LIQUOR LICENSE APPLICATIONS FROM ALCANTARA, L.L.C., JEROME WINERY, AND PAGE SPRINGS WINERY FOR THE WALKIN' ON MAIN EVENT SCHEDULED FOR NOVEMBER 14, 2009

The Council unanimously approved the wine festival liquor license applications from Alcantara, L.L.C., Jerome Winery, and Page Spring Cellars for the Walkin' on Main event scheduled for November 14, 2009.

AMENDMENT TO CONTRACT WITH YAVAPAI COUNTY LONG-TERM CARE FOR TRANSPORTATION SERVICES PROVIDED BY THE COTTONWOOD AREA TRANSIT

The Council unanimously approved an amendment to the contract with Yavapai County Long Term Care for transportation services to go into effect October 1, 2009. The amendment reduces rates by five percent to \$4.75 per loaded mile for long-term care customers.

REVISED INTERGOVERNMENTAL AGREEMENT WITH THE TOWN OF JEROME (PREVIOUSLY APPROVED ON 6/16/09) FOR POLICE DISPATCHING SERVICES

The Council unanimously approved a revision to the intergovernmental agreement with the Town of Jerome for police dispatching services. The revision allocates liability and

indemnification for claims based on the relative fault of each party.

APPROVAL OF ENGAGEMENT OF FORD AND HARRISON, LLP, TO REPRESENT THE COTTONWOOD POLICE DEPARTMENT DURING A CITY PERSONNEL BOARD HEARING

The Council unanimously approved the engagement of Ford and Harrison LLP to represent the Cottonwood Police Department during an employee appeal hearing to be held by the city's Personnel Board.

NEW BUSINESS

AWARD OF AN UNDERGROUND PIPING JOB ORDER CONTRACTING BID FOR INSTALLATION OF A WATERLINE CROSSING UNDER HIGHWAY 89A AT CANDY LANE

The Council unanimously approved an underground piping job order contract for the installation of a waterline crossing under Highway 89A at Candy Lane to Arizona Northern Equipment in the amount of \$97,700.

ACCEPTANCE OF A FIREMAN'S FUND INSURANCE COMPANY HERITAGE GRANT IN THE AMOUNT OF \$5,000 TO PURCHASE FIRE DEPARTMENT TRAINING AND SAFETY VIDEOS & APPROVAL OF THE COMPLIANCE AGREEMENT FOR THE GRANT

The Council unanimously approved acceptance of \$5,000 from the Fireman's Fund Insurance Company Heritage Grant and approved the compliance agreement for the grant which will be used to purchase Fire Department training and safety videos.

POSSIBLE TERMINATION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND THE VERDE VALLEY FIRE DISTRICT FOR EMERGENCY SERVICES IN THE ANNEXED AREA KNOWN AS THE "BELSANTI ANNEXATION"

The Council unanimously approved the termination of the intergovernmental agreement with the Verde Valley Fire District for emergency services in the Belsanti Annexation area. The Cottonwood Fire Department will become the provider of emergency services to the area.

AMENDMENT TO THE AGREEMENT WITH THE VERDE VALLEY HUMANE SOCIETY (VVHS) TO PROVIDE AN INCREASE IN THE AMOUNT OF FEES PAID BY THE CITY TO THE VVHS FOR VARIOUS ANIMAL CONTROL AND SHELTER SERVICES

The Council unanimously approved an amendment to the agreement with the Verde Valley Humane Society (VVHS) to increase the monthly allocation from the city to VVHS from \$2,432 per month to \$3,255 for providing animal control and shelter services.

AGREEMENT WITH THE VERDE VALLEY SENIOR CITIZENS ASSOCIATION TO PROVIDE FUNDING TO SUPPLEMENT THE SENIOR SERVICES AND PROGRAMMING OFFERED AT THE VERDE VALLEY SENIOR CENTER

The Council unanimously approved an agreement with the Verde Valley Senior Citizens Association for the City to provide financial support in the amount of \$45,000 for services provided by the Senior Center.

ORDINANCE NUMBER 550–AMENDING TITLE 2, ADMINISTRATION AND PERSONNEL, CHAPTER 2.104, SENIOR COMMISSION, OF THE MUNICIPAL CODE OF THE CITY OF COTTONWOOD; BY DELETING SECTION 2.104.040 NUMBER AND COMPOSITION OF VOTING MEMBERS, AND REPLACING IT WITH A NEW SECTION 2.104.040 NUMBER AND COMPOSITION OF VOTING MEMBERS; AND DELETING SECTION 2.104.060 TERMS OF OFFICE, AND REPLACING IT WITH A NEW SECTION 2.104.060 TERMS OF OFFICE; FIRST READING

The Council held the first reading of proposed Ordinance Number 550 which would amend the membership requirements for the Senior Commission. The proposed membership criteria are that the Commission consist of seven voting members at least 18 years of age who reside in the Verde Valley, four of whom shall be at least 55 years of age and at least two of whom be involved in providing services to senior citizens. The second and final reading of Ordinance Number 550 is scheduled to be held at the regular Council meeting scheduled for October 20, 2009.

AMENDMENT TO THE AGREEMENT WITH THE OLD TOWN ASSOCIATION (PREVIOUSLY APPROVED ON SEPTEMBER 9, 2009)

The Council unanimously approved an amended agreement with the Old Town Association (OTA) for the city to provide funding to OTA in the amount of \$10,000. The amendments included removing the requirement for OTA to collect, analyze, and maintain relevant data to support economic developments efforts in the Old Town area; replacing the OTA conducting the Walkin' on Main events with Art Walks; and added the city's reporting requirements that must be met in order for the OTA to receive its quarterly funding.

RESOLUTION NUMBER 2474–DECLARING, FOR PURPOSES OF SECTION 1.150-2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION WITH CERTAIN CAPITAL EXPENDITURES RELATING TO THE "RECONSTRUCTION OF MINGUS AVENUE FROM 89A TO WILLARD STREET"

The Council approved Resolution Number 2474 which declares the city's intent to reimburse the Highway Users Revenue Fund (HURF) for all costs associated with the Mingus Avenue reconstruction project from 89A to Willard Street from proceeds of a bond or other financing instrument.

Mayor Joens was not present for the vote.

RESOLUTION NUMBER 2478–DECLARING, FOR PURPOSES OF SECTION 1.150-2 OF THE FEDERAL TREASURY REGULATIONS, OFFICIAL INTENT TO BE REIMBURSED IN CONNECTION

WITH CERTAIN CAPITAL EXPENDITURES RELATING TO THE "RECONSTRUCTION OF 12TH STREET 89A TO FIR STREET"

The Council unanimously approved Resolution Number 2478 which declares the city's intent to reimburse itself for capital expenditures from the Highway Users Revenue Fund (HURF) for all costs associated with the 12th Street reconstruction project from Highway 89A to Fir Street from proceeds of a bond or other financing instrument.

RESOLUTION NUMBER 2477-AMENDING THE CITY'S FINANCIAL OPERATIONS GUIDE BY ADDING A NEW SECTION XVI, FRAUD POLICY; AND PROVIDING FOR AN EFFECTIVE DATE

The Council unanimously approved Resolution Number 2477 which amends the city's Financial Operations Guide (FOG) by adding a new Section XVI, Fraud Policy, to establish policies and procedures, including staff training, relating to issues of fraud.

RESOLUTION NUMBER 2476-SUPPORTING THE PUBLIC PLANNING EFFORTS REGARDING THE FUTURE USE AND MANAGEMENT OF THE AREA DESCRIBED AS THE VERDE FRONT OF THE PRESCOTT NATIONAL FOREST AND THE GREENWAY CORRIDOR OF THE MIDDLE VERDE RIVER

The Council approved Resolution Number 2476 which expresses support for the public planning process regarding future use and management of the Verde Front of the Prescott National Forest and the Greenway Corridor of the Middle Verde River.

Council Member Kirby dissented.

CLAIMS & ADJUSTMENTS

The Council unanimously approved payment of the claims and adjustments.

EXECUTIVE SESSION-PURSUANT TO ARIZONA REVISED STATUTES SECTION 38-431.03(A)(3), THE CITY COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO CONSULT WITH THE CITY ATTORNEY AND RECEIVE LEGAL ADVICE REGARDING A PENDING PETITION TO ANNEX A PARCEL OF FEDERAL FOREST LAND INTO THE CITY

The Council met in executive session to receive legal advice pertaining to the City's pending petition to annex a parcel of Forest Service land north of the city boundary.

Mayor Joens was not present for the vote to reconvene into regular session.

DISCUSSION AND POSSIBLE LEGAL ACTION/DIRECTION TO STAFF REGARDING THE PENDING FEDERAL FOREST LAND ANNEXATION

The Council moved to table this item, which carried with a dissenting vote by Council Member Smith.

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ADJOURNMENT

The regular meeting adjourned at 10:07 p.m.