

**SUMMARY REPORT
OF COUNCIL ACTION TAKEN AT THE MARCH 2, 2010, 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.

APPROVAL OF MINUTES— Regular Meeting February 16, 2010

The Council unanimously approved the minutes of the regular meeting of February 16, 2010.

UNFINISHED BUSINESS

ORDINANCE NUMBER 558—AMENDING THE “1990 SEWER POLICY OF THE CITY OF COTTONWOOD, ARIZONA,” BY DELETING THE DEFINITION UU. “USER CHARGE”, UNDER SECTION 13.12.010 DEFINITIONS, AND ADDING A NEW DEFINITION UU. “USER CHARGE”; SECOND AND FINAL READING

The Council approved Ordinance Number 558, with a dissenting vote by Council Member Smith. This Ordinance deletes the definition UU. "User Charge", under Section 13.12.010 Definitions, and adds a new definition UU. "User Charge", which reads as follows: "A charge levied on users of treatment works for the cost of operation, maintenance, capital construction, major repairs, replacement, and enhancements to existing facilities and needs of such works. User charges will not be utilized for improvements identified under section 13.20.020 of the Municipal Code unless authorized by the Cottonwood City Council."

The effective date of Ordinance Number 558 is April 1, 2010.

CONSENT AGENDA—No items

NEW BUSINESS

APPOINTMENT OF A CITY PROSECUTOR

The Council unanimously approved the appointment of Robert Gaffney, Esq. to serve as City Prosecutor on an interim, at-will basis for a fixed fee of \$7,000 per month.

PRESENTATION BY GRANT HAMMILL OF STONE & YOUNGBERG, REGARDING THE CITY'S BOND RATING ISSUED BY STANDARD & POOR'S

Mr. Grant Hamill, Managing Director of Stone & Youngberg, gave a PowerPoint presentation

explaining a credit rating upgrade on City of Cottonwood, Arizona Water System Revenue Bonds by Standard & Poor's from BBB to A, together with the legal provisions that require the City to establish and maintain water system rates and other charges sufficient to generate net revenues in each fiscal year equal to at least 135 percent of the principal and interest requirements of the bonds.

PUBLIC HEARING REGARDING WATER AND WASTEWATER UTILITY RATES

A public hearing was held regarding a proposal to adjust water and wastewater rates. The following members of the public spoke against any rate increases: Ms. Ruth Keisel, Ms. Nancy Burnett, Ms. Lee Cali, Ms. Terri Gage, Mr. Al Gradijan, Mr. Curtis Lindner, and Dr. Bob Richards.

The Council directed staff to prepare either a resolution or an ordinance to enact the recommended water rate increase to possibly take effect July 1, 2010.

RESOLUTION NUMBER 2500—APPOINTING ANNA YOUNG AS AN ASSOCIATE MAGISTRATE FOR THE MUNICIPAL COURT AND ESTABLISHING HER TERM OF OFFICE

The Council unanimously approved Resolution Number 2500 appointing Ms. Anna Young as an Associate Magistrate of the municipal court for a two-year term effective March 3, 2010 and ending March 3, 2012.

RESOLUTION NUMBER 2501—APPOINTING C. KENNETH RAY II AS AN ASSOCIATE MAGISTRATE FOR THE MUNICIPAL COURT AND ESTABLISHING HIS TERM OF OFFICE

The Council unanimously approved Resolution Number 2501 appointing Mr. C. Kenneth Ray II as an Associate Magistrate of the municipal court for a two-year term effective March 3, 2010 and ending March 3, 2012.

RESOLUTION NUMBER 2502—APPOINTING JANIE B. RANDALL AS A CIVIL TRAFFIC VIOLATION HEARING OFFICER AND ESTABLISHING HER TERM OF OFFICE

The Council unanimously approved Resolution Number 2502 appointing Ms. Janie B. Randall as a Civil Traffic Violation Hearing Officer of the municipal court for a two-year term effective March 3, 2010 and ending March 3, 2012.

RESOLUTION NUMBER 2503—APPOINTING BELINDA GUAY AS A CIVIL TRAFFIC VIOLATION HEARING OFFICER AND ESTABLISHING HER TERM OF OFFICE

The Council unanimously approved Resolution Number 2503 appointing Ms. Belinda Guay as a Civil Traffic Violation Hearing Officer of the municipal court for a two-year term effective March 3, 2010 and ending March 3, 2012.

ACQUISITION OF NEW RIGHT-OF-WAY FOR WEST MINGUS AVENUE THROUGH THE

CLEMENCEAU TOWNSITE PARCEL OWNED BY CLEMENCEAU TOWNSITE, L.L.C.

The Council directed staff to move forward on a possible land trade with Clemenceau Townsite L.L.C., for additional right-of-way required for the re-construction Mingus Avenue from Willard Street to Highway 89A.

UPDATE REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Community Development Director George Gehlert explained the tentative timetable and criteria to be met in order for the City to be eligible to apply for CDBG funds which are provided on a four year cycle for revitalization projects from the U.S. Department of Commerce.

SETTLEMENT AGREEMENT WITH THE INDUSTRIAL COMMISSION OF ARIZONA-DIVISION OF OCCUPATIONAL SAFETY AND HEALTH FOR CITATIONS CONCERNING THE COTTONWOOD MUNICIPAL COURT

The Council unanimously approved accepting an Informal Settlement Agreement with the Industrial Commission of Arizona – Division of Occupational Safety and Health for citations concerning the Cottonwood Municipal Court, and authorized the City Manager and City Attorney to negotiate the final language of the agreement.

CLAIMS & ADJUSTMENTS

The Council unanimously agreed to pay the claims and adjustments.

ADJOURNMENT

The regular meeting adjourned at 9:13 p.m.