

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, HELD OCTOBER 4, 2022, AT 6:00 P.M., AT THE COTTONWOOD COUNCIL CHAMBERS BUILDING LOCATED AT 826 NORTH MAIN STREET, COTTONWOOD, ARIZONA.

Mayor Elinski called the meeting to order at 6:02 p.m. Roll call was taken as follows:

COUNCIL MEMBERS PRESENT

Tim Elinski, Mayor
Jackie Nairn, Vice Mayor
Tosca Henry, Council Member
Doug Hulse, Council Member
Helaine Kurot, Council Member
Michael Mathews, Council Member
Debbie Wilden, Council Member

STAFF MEMBERS PRESENT

Ron Corbin, City Manager
Marianne Jimenez, City Clerk
Steve Horton, City Attorney
Larry Dawson, Fire Battalion Chief/Operations
Gary Davis, Senior Planner
Tina Hayden, Planner
Jak Teel, Parks & Recreation Director

PLEDGE OF ALLEGIANCE

Mayor Elinski led the Pledge of Allegiance.

BRIEF SUMMARY OF CURRENT EVENTS BY MAYOR, CITY COUNCIL AND/OR CITY MANAGER – THE PUBLIC BODY DOES NOT PROPOSE, DISCUSS, DELIBERATE OR TAKE LEGAL ACTION ON ANY MATTER BROUGHT UP DURING THIS SUMMARY UNLESS THE SPECIFIC MATTER IS PROPERLY NOTICED FOR LEGAL ACTION

Mr. Corbin announced City board and commission openings and upcoming City and community events.

CALL TO THE PUBLIC

Mayor Elinski called Stephen Garner, who had filled out a request to speak form, forward to address the Council. Mr. Garner was not present, as he had left the Council Chambers.

APPROVAL OF MINUTES—SPECIAL WORK SESSION OF SEPTEMBER 13, 2022

Mayor Elinski moved to approve the minutes. The motion was seconded by Council Member Henry and carried unanimously.

CONSENT AGENDA

REQUEST FOR WAIVER OF PARKS AND RECREATION CODE SECTION 12.12.020.. USE OF PUBLIC PARKS AND RECREATION FACILITIES, B. CAMPING IN PARKS AND RECREATIONAL FACILITIES, FOR THE COTTONWOOD FAMILY CAMPOUT SCHEDULED FOR NOVEMBER 5 & 6, 2022

Mayor Elinski moved to approve the Consent Agenda. The motion was seconded by Vice Mayor Nairn and carried unanimously.

NEW BUSINESS

CONSIDERATION OF THE PURCHASE OF A NEW E-ONE PUMPER TRUCK FROM H&E EQUIPMENT SERVICES THROUGH THE SOURCEWELL COOPERATIVE PURCHASING AGREEMENT

Battalion Chief Dawson addressed the Council and stated the Fire Department was blessed to purchase a fire truck, and the department really appreciates what the City Council and the City of Cottonwood is doing for us. We started out originally putting a price tag in (the budget) for \$800,000 for the truck. In 2018, the price of the old truck was \$596,000. When we got the bid from the dealer, E-ONE, they came back with a bid of \$915,645 and it was sticker shock. They told us that all the price hikes are from labor costs and increases from their manufacturers and dealers where they get their equipment from. It was a 53 percent upgrade from the original truck that we bought back in 2018. We sat down with the apparatus committee, and we're trying to get a few more upgrades for safety concerns for our personnel and storage ideas. Some of the things we're looking to get are coffin boxes for both sides of the hose bed area so we can take some of the things we don't use very often and stick it up there. A couple of medical cabinets instead of having windows on the side of the cab for EMS equipment or turnouts to get the turnouts out of the cab. A hard hose bib cover, because the one we have is vinyl and degrades over time and we have to have it per NFPA (National Fire Protection Association). Also, an active air purifier system to kill the germs to improve their health and safety. E-ONE is not the only manufacturer that is having these price increase problems. Why E-ONE? Fleet continuity—we already have one and it's easier to keep the fleet the same manufacturer. If something breaks we can take it to the dealer for repairs, and with the ins and outs of trucks that we drive and operate every day, if it's the same, it's really beneficial to us.

Mr. Corbin asked how long is it going to take them to build this.

Battalion Chief Dawson stated from when we sign the contract, it's 19 months for delivery.

Mr. Corbin stated the reason I wanted to point that out is, that's the reason in your communicate there's not a request for a budget extension. We'll update the budget difference in the next budget cycle or when we do the mid-year adjustment. We're really comfortable with this number; no concerns at all.

Mayor Elinski asked the Council if they had any questions, and there were none.

Battalion Chief Dawson stated I'll speak for the Fire Department; we really appreciate the support that we get from the Council and the City.

Mayor Elinski stated we appreciate everything that you do on our behalf and the citizens' behalf. This is something we need and we've faced these price increases a lot the last couple of years and it doesn't seem to get any easier.

Council Member Henry moved to approve the purchase of a new E-ONE Pumper truck from H&E Equipment Services under the Sourcewell cooperative purchasing agreement for an amount not to exceed \$938,046. The motion was seconded by Council Member Hulse.

A roll call vote on the motion was taken as follows:

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Council Member Henry	X		Council Member Wilden	X	
Council Member Hulse	X		Vice Mayor Nairn	X	
Council Member Kurot	X		Mayor Elinski	X	
Council Member Mathews	X				

The motion carried unanimously.

CALL TO THE PUBLIC

At this point in the meeting, Mr. Corbin stated if you want to consider opening the Call to the Public, the gentleman you called earlier just did come back.

Mayor Elinski stated you filled out a form to speak to the Council during Call to the Public, so we'll back up for a second here.

Mr. Garner stated I live at Grey Fox Ridge and I'm a musician and play regularly here in town. He expressed concern about his safety while crossing the street in crosswalks and almost being hit twice. He also stated when he played in Old Town they have to stop playing because the motorcycles and cars are winding it up and high revving it for no reason, except to be an annoyance. He would love to see a few officers by Willard and Main, because people come down as fast as they can go.

NEW BUSINESS (Continued)

ORDINANCE NUMBER 722-AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD FOR ASSESSOR'S PARCEL NUMBERS 406-36-011, 406-37-242A, AND A PORTION OF 406-37-174, TO CHANGE THE PRESENT ZONING DESIGNATIONS OF AR-43 (AGRICULTURAL RESIDENTIAL) AND R-4 (SINGLE FAMILY/MULTIPLE FAMILY/MANUFACTURED HOME) TO R-3 (MULTIPLE FAMILY RESIDENTIAL); FIRST READING

Mr. Davis presented a PowerPoint presentation regarding Ordinance Number 722 and Resolution Number 3151. He stated this is a zone change and General Plan amendment application for about 1.2 acres located at the north end of 14th Street, just on the northside of the cemetery property, and it consists of three parcels. It is designated as part of the public and semi-public uses in the General Plan, which is usually designated for public-owned properties, parks, and cemeteries, but it also includes this parcel for some reason. The site itself is zoned AR-43, which is a one acre minimum lot size residential zone. Riverfront Park is AR-43 as well, and part of the park is GA (General Agriculture). The area to the south, including the cemetery, is zoned R-4, which is a multi-family zone which includes areas that had previously been developed with mobile homes and manufactured homes. The proposed change is to R-3 rather than R-4, because in the zoning ordinance there is specific language that the City shall not accept applications for more R-4 zoning, just the R-3, which it has a similar density maximum as the R-4, but it doesn't allow the manufactured and mobile homes. That is why there is a proposed change to R-3 for these three lots. The main parcel within the three parcels is one acre that is zoned AR-43 at the moment. A smaller piece that's owned by the same property owner is one-tenth of an acre. That is in the R-4 area. There is another portion of the area that we're looking at that's one-tenth of an acre that is part of the City's cemetery right now. This is an area that was encroached upon by a previous owner where they built a fence, and back in May we discussed with Council the prospect of exchanging that portion of the cemetery property for a potential trail easement between 14th Street and the park. This can be effected by a minor land division, which would combine those three parcels into one and then divide them into two parcels. The R-3 zone is proposed because we have a City policy not to create more R-4 zones. The minimum lot size in that zone is 7,500 square feet. Both lots would be proposed to be more than that. Right now, we have a drainage easement across the middle of that property that takes drainage from the westside of 14th Street to the ditch. What is proposed is to create two lots after the minor land division, and where those two lots meet would be a 20 foot wide easement where a path could be installed someday to connect this neighborhood with the park. Right now, in order to get from this neighborhood to the park, which is just a matter of 100 feet or so, you have to go all the way down to Main Street, around to 10th Street, and back in. This might be a good amenity for the neighborhood to get a trail and a bridge across the ditch. Public access to both parcels would be from 14th Street, and 14th Street from Navajo Street, north about 140 feet, is dirt right now. We would require that to be paved if somebody comes in to put in multi-family duplexes, triplexes, or whatever the zoning would allow. That's an issue that was brought up by a resident during the neighborhood meeting that the applicant had, and in a written comment that we presented to the Planning & Zoning Commission, that they are concerned about additional traffic creating dust on this road. Additional units in here would trigger the need for a paved road. The applicant is in attendance if you have any questions.

Mayor Elinski asked if the paving requirement would fall on the property owner or the developer of that property.

Mr. Davis stated that would fall on whoever is proposing to buy one of these lots and develop it with more than a single-family house.

Mayor Elinski invited the applicant, Ms. Masters, to approach the podium for any comments she may wish to make to Council.

Ms. Masters stated I thought this would be a really good way to get access over to the park, because I've always wanted to be able to just pop over, and also bring that cemetery property to the property that I own. I always thought it was mine anyway because of the fencing. I thought this would be a really good trade. I'm also planning on selling my property, so I thought nobody is going to buy it if it has an easement right through it. If I could divide the property, somebody could have this and someone could buy the other one. That would make a whole lot of sense, because nobody wants to have an access right through their property.

Mayor Elinski stated I appreciate you being here this evening and working with our City staff on this issue. It is a real mess untangling a lot of these Old Town issues, and I know there was a surveyor back in the day that apparently did all of this. This is just the first reading. I'm sensing we're all thumbs up on this, so we'll bring it back for a second reading.

Mayor Elinski requested the City Clerk read Ordinance Number 722 by title only.

ORDINANCE NUMBER 722

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING MAP OF THE CITY OF COTTONWOOD, ARIZONA, FOR CERTAIN PARCELS OF LAND (SPECIFICALLY, YAVAPAI COUNTY APNs 406-36-011, 406-37-242A, AND A PORTION OF 406-37-174) SO AS TO CHANGE THE PRESENT ZONING DESIGNATIONS OF AR-43 (AGRICULTURAL RESIDENTIAL) AND R-4 (SINGLE FAMILY/ MULTIPLE FAMILY/MANUFACTURED HOME) FOR THOSE PARCELS TO R-3 (MULTIPLE FAMILY RESIDENTIAL).

RESOLUTION NUMBER 3151-- AMENDING THE CITY'S GENERAL PLAN TO CHANGE THE LAND USE DESIGNATION FOR APPROXIMATELY 1.2 ACRES OF LAND LOCATED AT THE NORTH END OF 14TH STREET FROM PSP (PUBLIC/SEMI-PUBLIC/INSTITUTIONAL) TO HR (HIGH DENSITY RESIDENTIAL)

Mr. Davis stated the PSP zoning designation was put on this private property for reasons that have been lost to history, and a change would be necessary in order to go to an R-3 zone as proposed.

Mayor Elinski moved to approve Resolution Number 3151. The motion was seconded by Council Member Wilden.

A roll call vote on the motion was taken as follows:

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Council Member Henry	X		Council Member Wilden	X	
Council Member Hulse	X		Vice Mayor Nairn	X	
Council Member Kurot	X		Mayor Elinski	X	
Council Member Mathews	X				

The motion carried unanimously.

Mayor Elinski requested the City Clerk read Resolution Number 3151 by title only.

RESOLUTION NUMBER 3151

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, APPROVING A MINOR AMENDMENT TO THE CITY'S GENERAL PLAN CHANGING THE LAND USE DESIGNATION FOR APPROXIMATELY 1.2 ACRES OF LAND LOCATED AT THE NORTH END OF 14TH STREET, APPROXIMATELY 1,000 FEET NORTH OF MAIN STREET FROM PUBLIC/SEMI-PUBLIC/INSTITUTIONAL (PSP) TO HR (HIGH DENSITY RESIDENTIAL).

ORDINANCE NUMBER 723-AMENDING THE ZONING ORDINANCE TO ALLOW FOR CLUSTER SUBDIVISIONS IN CERTAIN AGRICULTURAL-RESIDENTIAL ZONING DISTRICTS AND PROVIDING DEFINITIONS AND STANDARDS THEREFOR; FIRST READING

Ms. Hayden gave a PowerPoint presentation with examples of what a cluster subdivision would look like, and stated one of the main features of cluster development is that it also retains densities that are similar to conventional development. It requires preservation of natural open space, allows for smaller lot sizes, and is advantageous for sites with physical constraints such as steep hillsides and washes. Currently, the only tool for lot size flexibility is the Planned Area Development (PAD) zoning process, which is cost and time intensive. For the cluster subdivision, our minimum lot size requirement would be 20,000 square feet. In the conventional subdivision we have about 18, one acre lots. Two acres are used for infrastructure. In the cluster development subdivision, areas of steep slope are reserved for natural open space. Our requirement would be a 30 percent minimum of natural open space.

Mayor Elinski asked if we have any developments that would take advantage of this style of zoning.

Ms. Hayden stated yes, we have Spring Creek. We also have Westcott, formerly known as 89 & Vine, who might actually benefit from this if they chose not to do the PAD residential.

Mayor Elinski asked Ms. Hayden to explain what happens to the open space, as in is it open to the public, open to just the homeowners in that development, or is it a combination of both.

Ms. Hayden stated, first off, the open space gets reserved. It cannot be developed furthermore.

Mr. Davis stated the reserved natural open space would go either to a homeowners' association or to a conservation group, or some public entity, and it would be generally open to the public. It's possible, depending on the development, that it could be just open to residents in the area, but we have a definition of natural open space in the proposal that talks about what is allowed in a natural open space. It would include trails and trailheads. Other than that, no improvements.

Mayor Elinski asked who would be responsible for maintaining the open space.

Mr. Davis stated it would be the owner, whether it's the homeowners' association or a conservancy group. I suppose it could be deeded to the City as public open space if the City agreed to take that on, but it would be the entity that actually owns that property.

Mayor Elinski asked if it would be on a case-by-case basis.

Mr. Davis stated yes.

Council Member Wilden asked who is to determine who owns it.

Mr. Davis stated that would be done at the platting stage. When the subdivision plat is setup, the language would be put in the plat as to what the uses are in that area, what the ownership is, and what the access is in that area.

Council Member Wilden asked what if nobody wants it, by chance.

Mr. Corbin stated, remember, this land is owned by the developer. It's a traditional subdivision, which is bad in some of these spots, or there is a PAD where they would designate a homeowners' association or some other group that would take care of it. The land is owned by the developer, so it would be the developer's responsibility to come up with a plan to take care of the natural spaces.

Council Member Mathews stated, just to give a picture, this is like any of the subdivisions we have. Even the subdivision I live in, there are washes through there. There are common areas, and some are landscaped and some will just completely stay wild in their natural state. Those are owned by the developer. Everything within that property is owned by the developer. The individual lots are obviously owned by the homeowners that purchase them. When a

developer is finished, basically all the common areas are turned over to the HOA. All the homeowners in common own it through the HOA and manage it that way. That is typical and will be in 98 percent of cases, unless they are turned over to somebody else. Cottonwood Ranch is the same thing. The green areas that go through there, some trails and some not, it is all HOA managed.

Mayor Elinski stated as long as there is some mechanism to make sure that the open space remains free of encampments and whatever else kind of clutters out there. The larger the space, the more difficult it would be to track what is happening, depending on the size of the overall project. This is another great example of how we're trying to be proactive and support our development community with things that make sense in our community. We will bring it back for a second reading.

Mayor Elinski requested the City Clerk read Ordinance Number 723 by title only.

ORDINANCE NUMBER 723

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AMENDING THE ZONING ORDINANCE BY AMENDING SECTIONS TO ADD STANDARDS FOR OPTIONAL CLUSTER SUBDIVISIONS IN CERTAIN RESIDENTIAL ZONES.

REQUEST TO CLOSE MAIN STREET IN OLD TOWN BETWEEN PIMA STREET AND CACTUS STREET, FROM 4 A.M., TO 9 P.M., ON NOVEMBER 12, 2022, FOR THE "WALKIN' ON MAIN" EVENT

Mr. Teel stated as you know, this event has been going on in Old Town for over a decade. As part of that, we close Old Town from Pima Street all the way down through Cactus Street. To do that, we need Council's permission and blessing. I am here tonight to request that. One of the things I'd like to point out from prior years, is this year we're trying to keep the Gateway parking lot down by the Jail Trail open to the public. We understand the parking issue in Old Town, and trying to save that space to allow for general parking will hopefully help some of the congestion we see on that day. We are working hard with our Public Works team to identify different solutions for any traffic flow issues, but there is a possibility that we may have to continue to keep that Gateway parking lot closed for this event. Our goal is to maintain it open for the public to use that day, so we only close the street from Pima Street to Yavapai Street, and that's where our event will be.

Council Member Wilden asked if attendees will still have access to the dirt lot behind Bocce's to park.

Mr. Teel stated Cactus Street is open. We use that as a thoroughfare, but we do limit parking to one side of the street. I want to say that we keep that area open for parking, but I would have to refer to our traffic control plan, because we do keep the eastside closed for curbside parking and only allow parking on the westside of the road for the day.

Mr. Corbin stated part of that lot is private property. We kind of work with the property owner when we have to do that. The property owner, technically, could do something—he has in the past.

Council Member Wilden moved to approve the proposed street closure of North Main Street in Old Town between Pima Street and Cactus Street, from 4 a.m., to 9 p.m., on November 12, 2022, for the Walkin' on Main event. The motion was seconded by Council Member Mathews.

A roll call vote on the motion was taken as follows:

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Council Member Henry	X		Council Member Wilden	X	
Council Member Hulse	X		Vice Mayor Nairn	X	
Council Member Kurot	X		Mayor Elinski	X	
Council Member Mathews	X				

The motion carried unanimously.

EXECUTIVE SESSION—REVIEW OF CITY ATTORNEY APPLICATIONS AND FINALIST RECOMMENDATIONS, AND DIRECTION TO STAFF REGARDING LOGISTICS AND NEXT STEPS IN THE CITY ATTORNEY RECRUITMENT PROCESS. PURSUANT TO ARS § 38-431.03.A.1 AND/OR A.3, THE COUNCIL MAY VOTE TO CONVENE IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE AND/OR TO DISCUSS INDIVIDUAL APPLICANTS AND THEIR APPLICATIONS, SUBJECT TO THE RIGHT OF EACH APPLICANT TO REQUIRE THE COUNCIL TO DISCUSS THEIR APPLICATION IN A PUBLIC MEETING RATHER THAN IN EXECUTIVE SESSION

Mayor Elinski moved to convene into executive session. The motion was seconded by Vice Mayor Nairn and carried unanimously.

After reconvening into regular session, the Council held no discussion nor took any action regarding this item.


CLAIMS AND ADJUSTMENTS

Mayor Elinski moved to pay the claims and adjustments. The motion was seconded by Council Member Henry and carried unanimously.

ADJOURNMENT

Mayor Elinski moved to adjourn. The motion was seconded by Council Member Mathews and carried unanimously.

The regular meeting adjourned at 7:25 p.m.



Tim Elinski, Mayor

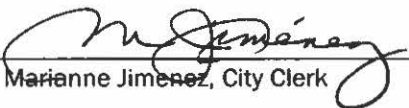
ATTEST:



Tami S. Mayes, Deputy Clerk

CERTIFICATION OF MINUTES

I hereby certify that the attached is a true and correct copy of the minutes of the regular meeting of the City Council of the City of Cottonwood held on October 4, 2022. I further certify that the meeting was duly called, and that a quorum was present.



Marianne Jimenez, City Clerk

11-1-22

Date