

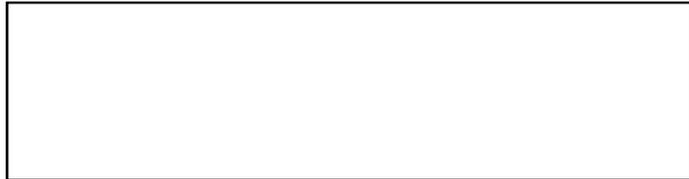


NOTICE – This is provided for public information only. This document is not an approved set of minutes, only a staff summary of actions taken. The approved minutes will contain the official action taken.

**NOTICE OF A REGULAR MEETING OF THE COMMON COUNCIL
OF THE TOWN OF CLARKDALE
Tuesday February 8, 2011 at 6:00 P.M.
Clark Memorial Clubhouse, Men’s Lounge**

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Common Council will hold a Regular Meeting open to the public on **Tuesday, February 8, 2011, at 6:00 p.m.** in the **Clark Memorial Clubhouse, Men’s Lounge, 19 N. Ninth Street, Clarkdale, Arizona.** Members of the Clarkdale Common Council will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Dated this 3rd day of February, 2011
BY



KATHY BAINBRIDGE
CLERK/FINANCE DIRECTOR

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.

1. CALL TO ORDER

Meeting was called to order by Mayor Von Gausig at 6:00 P.M.

Town Council:

Mayor Doug Von Gausig

Vice Mayor Richard Dehnert

Councilmember Patricia Williams

Councilmember Curtiss Bohall

Councilmember Bill Regner

Town Staff:

Town Manager Gayle Mabery

Community Development Director Sherry Bailey

Human Resources/Community Services Director Janet Perry

Police Chief Pat Haynie

Utilities Director Wayne Debrosky

Public Works Director Steve Burroughs

Town Clerk/Finance Director Kathy Bainbridge

CSP Manager Jodie Filardo

2. **PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment

3. **MAYOR, COUNCILMEMBER AND TOWN MANAGER REPORTS ON CURRENT EVENTS** – A brief summary of current events by the Mayor, Council Members and Town Manager. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

4. **INFORMATIONAL REPORTS**

CAT/ VVTPO– A report regarding the Cottonwood Area Transit and the Verde Valley Transportation Planning Organization & other transportation affiliations.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District.

VVLPI – A report regarding the Verde Valley Land Preservation Institute.

NACOG - A report regarding the Northern Arizona Council of Governments.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association.

VRBP – A report regarding the Verde River Basin Partnership.

WAC - A report regarding the Yavapai County Water Advisory Committee.

VVREO – A report regarding the Verde Valley Regional Economic Organization

YCL – A report from the Yavapai College Liaison.

5. **CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held January 11, 2011.

- B. **Claims** - List of specific expenditures made by the Town during the previous month. January, 2011 check log and PPE dated 1/1/11, 1/4/11, 1/15/2011, and 1/29/11.

- C. **Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month’s Board and Commission Meetings.

Board of Adjustments Cancelled Agenda for January 26, 2011

Design Review Board Cancelled Agenda for January 12, 2011

Heritage Conservancy Board Cancelled Agenda for January 19, 2011

Parks and Recreation Board Cancelled Agenda for January 19, 2011

Planning Commission minutes of the meeting held January 18, 2011

General Plan Update Committee minutes of the meeting held January 24, 2011

- D. **Reports** - Approval of written Reports from Town Departments and Other Agencies
Building Permit Report – December, 2010
Capital Improvements Report – December, 2010

Magistrate Court Report – December, 2010
Police Department Report – December, 2010
Water and Wastewater Report – December, 2010
Clarkdale Fire District Report and Mutual Aid Responses Report – December, 2010
Cottonwood Area Transit (CAT) Operations Report – December, 2010

- E. Acceptance of Bid, Approval of Contract, and the Issuance of the “Notice To Proceed” for the Mountain Gate Guardrail Project** - Approval by the Town Council to accept the bid from Headwaters Construction in the amount of \$117,672.63 and approve the contract for the Mountain Gate Guardrail Project and direction to the Public Works Department to issue a Notice to Proceed to Headwaters Construction.
- F. Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor Licenses and Control to approve a Special Event Liquor License for the Yavapai College Foundation’s “Fundraising and Awareness for the Yavapai College Foundation Greater Verde Valley Chapter” event to be held on Friday, March 25, 2011 from 3:30 – 7:30 p.m. on the Yavapai College Campus, 601 Black Hills Drive, Clarkdale.

Councilmember Williams moved to accept the Consent Agenda items A-F as prepared by staff. Motion seconded by Councilmember Bohall. Motion approved unanimously.

NEW BUSINESS

- 6. YAVAPAI-APACHE NATION DISTRIBUTION OF GAMING REVENUES UNDER PROPOSITION 202** – Discussion and consideration by the Town Council to accept the Proposition 202 funds in the amount of \$10,000.00 from the Yavapai-Apache Nation.

Vice Mayor Dehnert moved to accept the Proposition 202 funds in the amount of \$10,000 from the Yavapai-Apache Nation and designate the funds for use in opening the Clarkdale swimming pool, if the Town determines the pool can be open this year. Motion seconded by Councilmember Williams. Motion approved unanimously.

- 7. PRESENTATION BY DEVELOPMENT SERVICES PLANNING DIVISION FROM YAVAPAI COUNTY ON THE COUNTY’S COMPREHENSIVE PLAN UPDATE PROCESS** – A presentation regarding Yavapai County’s Comprehensive Plan Update Process. **This is a presentation only and required no action by Council.**
- 8. A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING CHAPTER 10 - OFFENSES, SECTION TWO – SMOKING, OF THE TOWN CODE BY AMENDING SECTION 10-2-2 DEFINITIONS, SECTION 10-2-4 REGULATIONS OF SMOKING IN ENCLOSED PUBLIC PLACES, SECTION 10-2-5 REGULATIONS OF SMOKING IN PLACES OF EMPLOYMENT, SECTION 10-2-8.01 WHERE MEDICAL MARIJUANA SMOKING IS PROHIBITED, AND SECTION 10-2-9 POSTING REGULATIONS BY ADDING SMOKING MEDICAL MARIJUANA; SECTION 10-2-10 SEVERABILITY; AND CHAPTER 3 OF THE ZONING CODE BY AMENDING SECTIONS 3-1 THROUGH 3-8 RESIDENTIAL DISTRICTS BY ADDING**

MEDICAL MARIJUANA CAREGIVER FACILITY AS A CONDITIONAL USE; SECTION 3-9 CENTRAL BUSINESS DISTRICT AND SECTION 3-11 COMMERCIAL DISTRICT BY ADDING MEDICAL MARIJUANA DISPENSARY; AND SECTION 3-15 INDUSTRIAL DISTRICT BY ADDING MEDICAL MARIJUANA CULTIVATION FACILITY; PROVIDING SEVERABILITY; AND REPEALING CONFLICTING ORDINANCES - Discussion and consideration of Resolution # 1358, a Resolution declaring the above named Ordinance which establishes Medical Marijuana regulations in the Town of Clarkdale a public record to be adopted by Ordinance #331.

Vice Mayor Dehnert moved to table the discussion and consideration of Resolution # 1358, a Resolution declaring an Ordinance which establishes Medical Marijuana regulations in the Town of Clarkdale to be a public record to be adopted by Ordinance #331 to the February 22, 2011 Council Meeting. Motion seconded by Councilmember Williams. Motion approved unanimously.

9. **AN ORDINANCE ADOPTING AS A PUBLIC RECORD “AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING CHAPTER 10 - OFFENSES, SECTION TWO – SMOKING, OF THE TOWN CODE BY AMENDING SECTION 10-2-2 DEFINITIONS, SECTION 10-2-4 REGULATIONS OF SMOKING IN ENCLOSED PUBLIC PLACES, SECTION 10-2-5 REGULATIONS OF SMOKING IN PLACES OF EMPLOYMENT, SECTION 10-2-8.01 WHERE MEDICAL MARIJUANA SMOKING IS PROHIBITED, AND SECTION 10-2-9 POSTING REGULATIONS BY ADDING SMOKING MEDICAL MARIJUANA; SECTION 10-2-10 SEVERABILITY; AND CHAPTER 3 OF THE ZONING CODE BY AMENDING SECTIONS 3-1 THROUGH 3-8 RESIDENTIAL DISTRICTS BY ADDING MEDICAL MARIJUANA CAREGIVER FACILITY AS A CONDITIONAL USE; SECTION 3-9 CENTRAL BUSINESS DISTRICT AND SECTION 3-11 COMMERCIAL DISTRICT BY ADDING MEDICAL MARIJUANA DISPENSARY; AND SECTION 3-15 INDUSTRIAL DISTRICT BY ADDING MEDICAL MARIJUANA CULTIVATION FACILITY; PROVIDING SEVERABILITY; AND REPEALING CONFLICTING ORDINANCES** – Discussion and consideration of Ordinance #331, an Ordinance adopting the public record, Resolution 1358, which amends Section 10-2-2 Definitions, Section 10-2-4 Regulations Of Smoking In Enclosed Public Places, Section 10-2-5 Regulations Of Smoking In Places Of Employment, Section 10-2-8.01 where Medical Marijuana Smoking Is Prohibited, And Section 10-2-9 Posting Regulations By Adding Smoking Medical Marijuana; Section 10-2-10 Severability and Chapter 3 of the Zoning Code by amending Sections 3-1 through 3-7 Residential Districts by adding Medical Marijuana Caregiver Facility as a Conditional Use; Section 3-9 Central Business District and Section 3-11 Commercial District by adding Medical Marijuana Dispensary; Section 3-15 Industrial District by adding Medical Marijuana Cultivation Facility.

Vice Mayor Dehnert moved to table the discussion and consideration of Ordinance #331, an Ordinance adopting the public record, Resolution 1358, which establishes Medical Marijuana regulations in the Town of Clarkdale to the February 22, 2011 Council Meeting. Motion seconded by Councilmember Regner. Motion approved unanimously.

10. **UPDATE FROM THE CLARKDALE SUSTAINABILITY PARK STRATEGIC PLANNING SESSION** – Update presentation on the Clarkdale Sustainability Park Strategic Planning held January 28, 2011.

This is a presentation only and required no action by Council.

11. **UPDATE FROM STRATEGIC PLANNING** – Update presentation on Town of Clarkdale 2011-2012 Strategic Planning held February 4, 2011.
This is a presentation only and required no action by Council.
12. **FISCAL YEAR 2010-2011 BUDGET UPDATE** – A worksession to discuss the second quarter of the 2010-2011 FY Budget.
This is a presentation only and required no action by Council.
13. **FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda
None
14. **ADJOURNMENT at 9:00 P.M.**

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.