

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 8, 2011 at 6:00 P.M. at Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER - Meeting was called to order at 6:00 PM by Mayor Von Gausig.

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

Police Chief Pat Haynie

Utilities Director Wayne Debrosky

Town Clerk/Finance Director Kathy Bainbridge

CSP Manager Jodie Filardo

**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.

Mary Lou Eslig from the Museum would like some help/suggestions from Council regarding additional storage. Mayor Von Gausig suggested that she meet with Gayle Mabery.

Jerry Wombacher, Heritage Conservancy Board, stated that he spent time in the archive basement area and thought there would be storage space available if the junk items were discarded.

**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.

Mayor's Report:

1. Met with Senator Steve Pierce in his office regarding legislation on the Model Cities Tax Code and Urban Revenue Sharing.
2. Attended the Arizona League of Cities and Towns Board Meeting.
3. Met with Kevin McCarthy from Arizona Tax Research Association (ATRA), Bob Walkup, Elaine Scruggs, Ken Strobeck, and Mark Mitchell after the League meeting.
4. Attended a lunch regarding pending legislation on 3<sup>rd</sup> party tax collections.
5. Met with Ken Strobeck to discuss the National League Conference in March.

6. Met with Sondra Healy from Goodyear, regarding sustainability and the Clarkdale Sustainability Park.
7. Held a conference call with Ken Strobeck & Tom Belshe of the League regarding legislation on the Model Cities Tax Code and Urban Revenue Sharing.
8. Attended Legislative Day with the Arizona Association of Economic Development regarding the Clarkdale Sustainability Park.
9. Met with Eran Mahrer, APS, regarding the solar garden concept.
10. Attended the ASU Innovation Challenge Awards which awarded small grant awards for engineering students.
11. Held a conference call with Tom Belshe, League and Tom Johnson, Tax Administrator for Peoria, regarding legislation on the Model Cities Tax Code.
12. Attended the Yavapai Redistricting Meeting held in Clarkdale.
13. Attended the Verde Valley Intergovernmental meeting.
14. Attended the Greater Arizona Mayors Association (GAMA) in Bullhead City by phone regarding legislative bills.
15. Met with Ken Strobeck and & Tom Belshe from the League along with the Sedona City Mayor and City Manager who contract for 3<sup>rd</sup> party tax collections.
16. Met with Attorney Rob Pecharich regarding the Vargas Tract O lawsuit.
17. Walked in the Sedona Saint Patrick's Day parade.
18. Called Representatives Nancy McLain and Doris Goodale regarding legislation on 3<sup>rd</sup> party tax collections.
19. Met John Rasmussen, WAC Coordinator, regarding WAC's future and expensive water studies.

#### Councilmember's Report:

Vice Mayor Dehnert reminded the Council that this weekend is a bike run and a car show being held as fundraisers for the pool.

Councilmember Bohall informed the Council on the Lower Town water line replacement effort expended on redoing the alleys and commented that they really look great. The alleys were not part of the original contract, but were negotiated without any added costs. He congratulated all those involved.

#### Town Manager's Report:

1. Town Manager Mabery reminded the Council of the Roadrunner recycling donations for the pool

and that \$15,000 was pledged from the Yavapai County Board of Supervisors, \$10,000 for the pool and \$5,000 for the gazebo.

2. Expecting census figures this week and are anticipating the Clarkdale growth rate to be less than the state growth rate.
3. Working on an emergency management drill scheduled for April 29<sup>th</sup> with School for a lockdown and evacuation drill.

### **INFORMATIONAL REPORTS**

CAT/ VVTPO– A report regarding the Cottonwood Area Transit and the Verde Valley Transportation Planning Organization & other transportation affiliations. Councilmember Bohall – no report.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District. Councilmember Williams – had a meeting and only 3 members showed up. No Minutes.

VVLPI – A report regarding the Verde Valley Land Preservation Institute. Councilmember Williams – no minutes, but will submit them next meeting.

NACOG - A report regarding the Northern Arizona Council of Governments. Vice Mayor Dehnert reported that they were looking at funding cuts for all programs and possible early retirement incentives for employees because the State Legislature has again taken funding from State Highway Fund which will affect municipalities also. They will be holding a Tourism Forum on April 6<sup>th</sup> in Williams, had an update report on NACOG Head Start's recent federal review, and had a presentation regarding broadband deployment. The full minutes of the meeting are on file in the Clerk's office.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association. Mayor Von Gausig reported there was no meeting.

VRBP – A report regarding the Verde River Basin Partnership. Mayor Von Gausig reported there was no meeting.

WAC - A report regarding the Yavapai County Water Advisory Committee. Mayor Von Gausig reported that he did not attend and Councilmember Regner will submit a report at the next meeting. Mayor Von Gausig did attend the Technical Working Group Meeting regarding environmental water impacts.

VVREO – A report regarding the Verde Valley Regional Economic Organization – Councilmember Regner reported they discussed board policies, make-up of their membership, membership dues, the acquisition of accounting software, discussed their relationship to NACOG, received an update on the Development Resource Guide and web-site enhancement, and a legislative update regarding legislation that might affect agriculturally zoned properties in the Verde Valley.

YCL – A report from the Yavapai College Liaison. Councilmember Regner reported the college is moving forward with a plan to plant an additional 10 acres of grapes and the conversion of the

existing outdoor racquetball courts into a functioning winery to be used as a teaching lab.

**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 February 8, 2011 and Special Meetings January 28, 2011, February 4, 2011, and February 22, 2011.
- B. Claims** - List of specific expenditures made by the Town during the previous month. February check log and PPE dated 2/12, 2/16 & 2/26/2011.
- 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 Notice of Cancelled Meeting for February 23, 2011  
Design Review Board minutes of the meeting held February 2, 2011  
General Plan Update Committee minutes of the meeting held February 28, 2011  
Parks and Recreation Board minutes of the meeting held February 9, 2011  
Planning Commission minutes of the meeting held January 15, 2011
- D. Approval of the Town Manager’s Evaluation as Written by the Mayor** - Approval of the review of the Town Manager’s Evaluation conducted on December 13, 2010, by Town of Clarkdale Common Council in Executive Session.
- E. Intergovernmental Agreement Between the Town of Clarkdale and the State of Arizona** – Approval of the IGA – Safe Routes to Schools (SRTS) between the Town of Clarkdale and the State of Arizona.
- F. United States Conference of Mayors Civility Accord** – Authorization for Mayor Von Gausig to sign the United States Conference of Mayors Civility Accord.
- G. APS Request for Removal and Relocation of an Existing Electric Pole and Entering into a New Right-Of-Way Easement Agreement** – Approval of moving the existing electric pole located at Main Street Park five feet south, re-guying the pole and re-attaching the existing overhead and underground lines and authorize entering into a new Easement Agreement reflecting the new legal description.

Councilmember Williams moved to accept the Consent Agenda items A-G as prepared by staff. Motion seconded by Vice Mayor Dehnert. Motion approved unanimously.

## **OLD BUSINESS**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING CHAPTER 10 OF THE TOWN CODE BY AMENDING SECTION 10-2-2 DEFINITIONS, SECTION 10-2-4 REGULATIONS OF**

**SMOKING IN ENCLOSED PUBLIC PLACES; AND AMENDING CHAPTER THREE 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; 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 which establishes Medical Marijuana regulations in the Town of Clarkdale.**

The ordinance as it is now allows the caregiver in the Residential Districts as a Conditional Use Permit with the addition of requiring a Home Occupation Permit. It has the dispensary allowed in the Commercial Districts as an allowed use and the cultivation/processing facility allowed only in the Industrial District.

Councilmember Bohall questioned 1500 square feet within a structure and thought it would be limiting to downtown buildings.

Councilmember Bohall moved to approve Ordinance #331, An Ordinance Of The Mayor And Common Council Of The Town Of Clarkdale, Arizona, Amending Chapter 10 Of The Town Code By Amending Section 10-2-2 Definitions, Section 10-2-4 Regulations Of Smoking In Enclosed Public Places; And Amending Chapter Three 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; Section 3-15 Industrial District By Adding Medical Marijuana Cultivation Facility; Providing Severability; And Repealing Conflicting Ordinances with the following changes:

Section 3-9 (A)(16) change (a) Total floor areas for medical marijuana use will not exceed 1,500 square feet.

Section 3-9(A)(16) add (g) Any associated storage facility where medical marijuana or its by-products are stored shall be located in a building with appropriate security measures.

Section 3-11(A)(19) change (a) Total floor areas for medical marijuana use will not exceed 1,500 square feet.

Motion seconded by Vice Mayor Dehnert. Motion approved unanimously.

## **NEW BUSINESS**

**GOOGLE EARTH DATASET APPLICATION PRESENTATION- Bob Rothrock of the Verde Valley Land Preservation Institute will share the results of their study of open space in our region.**

Bob Rothrock from the Verde Valley Land Preservation Institute shared the results of their study of open space in our region. Through collaboration with Arizona State Parks and Yavapai County they have been able to create a unique mapping tool which they have named the Overlay Model. It shows areas with open space values such as riparian habitat, agricultural lands or wildlife corridors as colored overlays on a Google Earth based map of our region. Users can

readily see where these lands overlap, highlighting areas especially deserving of open space protection.

Another result of their work is an open space resource library which can be found on their website (verdevalleyipi.org). It contains information from organizations and agencies that manage our open spaces, including specific studies and contact information. It will be useful for mapping and policy planning tools.

This project was completed through a grant from the Yavapai County Community Foundation.

They would like to be a line item in our budget which is discussed on a yearly basis.

Steve Estes, the Community Outreach Director, funded by Walton Family Foundation Grant, stated that their goals were to preserve open space, restore riverside habitat, and promote sustainable river recreation.

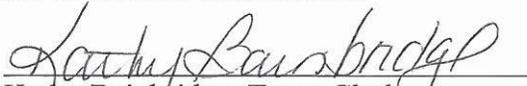
**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda

**ADJOURNMENT** - Without any further business, the Council adjourned at 7:40 P.M.

APPROVED:

  
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Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:

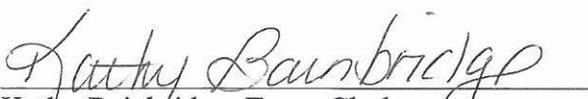
  
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Kathy Bainbridge, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 8<sup>th</sup> day of March, 2011. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 13 day of April, 2011

SEAL

  
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Kathy Bainbridge, Town Clerk