

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, April 12, 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 – By Telephone

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.

There was no public comment.

Mayor Von Gausig re-ordered agenda by general consent to take Items #6 & #7 first and then continue with the order of the agenda.

OLD BUSINESS

ORDINANCE #333, OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA AMENDING ZONING ORDINANCE #269 OF THE TOWN OF CLARKDALE, ARIZONA TO REZONE CERTAIN REAL PROPERTY DESCRIBED HEREIN FROM R 1, SINGLE FAMILY RESIDENTIAL TO PLANNED AREA DEVELOPMENT (PAD) AND RESTRICTING THE USE OF THE PROPERTY TO THE DEVELOPMENT OF NO MORE THAN 241 RESIDENTIAL LOTS AND 13.76 ACRES OF COMMERCIAL ON 102 ACRES WHICH SHALL CONFORM TO THE COMMERCIAL ZONING DISTRICT WITHIN THE TOWN OF CLARKDALE, AND IMPOSING CONDITIONS – Discussion and consideration of Ordinance #333, an Ordinance that amends Ordinance #269 regarding zoning for the Highlands Planned Area Development.

The Cliffrose Village/Highlands Planned Area Development was approved by Council on February 22, 2005. A Planned Area Development Ordinance was approved by Council and tied back to an approved Development Plan. The subdivision has been through multiple redesigns regarding some of the aspects of the development. The drainage, in particular, had to be totally

redesigned with work in Mescal Wash being approved by the Army Corp of Engineers. This has resulted in a realignment of Mescal Wash and a submittal for a redefinition of the flood plain by FEMA.

As a result of that redefinition some modifications to the final plat are appropriate. In order for that to occur, the original PAD Ordinance will need to be modified with changes to the Development Plan. As this development moved forward, areas were identified that needed modifications in order to make them practical. The end result of all the previous work starts with needed modifications to the original Development Plan and the Planned Area Development Ordinance. This action leads to changes on the final plat and to the Development Agreement.

On February 15, 2011 the Planning Commission held a public hearing concerning the changes to the PAD and Development Plan. A number of the surrounding property owners were present at that meeting and made suggestions concerning the proposed changes. The Planning Commission concurred with those changes and instructed staff that those changes be incorporated into the proposal as it moved forward for Council action. The Planning Commission voted unanimously to recommend approval to the Town Council with the proposed conditions in the PAD Ordinance.

Density

The existing Development Plan drawing proposes a total of 240 units for the project. PTM is proposing to add 9 custom lots along Highland Blvd. adjacent to Mescal Wash which is a direct result of the new drainage delineation. They are proposing to remove the lot lines for the townhomes along Old Jerome Highway at Sawtooth Peak Circle. They will also be removing the tiny park located in the circle and replacing it with a large park at the site of the temporary package plant and the open space area adjacent to that plant along Old Jerome Highway and Mescal Spur. The townhome area at Sawtooth will become a single lot multi-family area which will accommodate 8 units on that 1.66 acres.

This area will have access off Old Jerome Highway and Lonesome Valley Way. An alley separation will be required between the multi-family area and the townhomes adjacent to this area. This alley can provide access to parking and sanitation services and act as a buffer area for the townhomes. It will also provide emergency access to the units in the multi-family area.

After visiting with the Park and Recreation Board, PTM is proposing to delete the small park in the lower section along Roberts Road and divide that area into two lots. In turn, the remaining two parks will be larger three acre parks. One of the parks will be along Old Jerome Highway and Mescal Spur at the site of the temporary package plant. Two lots are presently platted along Mescal Spur adjacent to the temporary package plan site. Those two lots will go away and become part of the proposed park area along Old Jerome Highway and Mescal Spur. Combining this area, which will have active park facilities, with the open space area to the north along the wash, will give the Town a park site almost 4 acres in size that is easily accessible to residents on the west side of Clarkdale.

The Patio Homes will have a 5 foot side yard setback, the Village Homes will have an 8 foot side yard setback, and the Custom Homes will have a 10 foot side yard setback. The 1.66 acre multi-family area will be treated as a single area in design and will have to go through design review.

Product	Original Number	Revised Number	Lot Size
Custom Homes	58	67	9,000 square feet
Village Homes	82	82	7,000 square feet
Patio Homes	73	73	5,096 square feet
Town homes	27	19	2,975 square feet
Multi-Family	0	8 units	3,000 square ft/unit

None of the lots that border other subdivisions are smaller than 10,000 square feet.

Commercial

PTM is proposing to add 2.5 acres of commercial along Silver Canyon Drive at the north of the commercial area. This is where the original community building was to be built on .5 acre and adjacent to the redefined Mescal Wash. This would make the overall commercial area size 13.76 acres. It would also allow the commercial area to be on both sides of Silver Canyon Drive. The Town entered into an agreement with PTM in the Second Amendment to the Development Agreement to take cash settlement in lieu of the town building site. The council felt the money could be better used to expand the town complex in the Central Business District and would be a more efficient decision to concentrate town services in the town center.

Preservation of Natural Area

The pedestrian circulation system is proposed in Exhibit 4. A final trail plan was never submitted, except as a concept plan, so this plan will be receiving first approval. PTM is providing a natural trail along the edge of the wash. Since the realignment of the wash the intermittent nature of Mescal Wash will have less of an effect on the trail. There is a total of 24.42 acres of open space in this development with 6.7 acres of designed park area.

The Planning Commission voted to recommend that the Town Council approve the amendments to the PAD with the following stipulations:

1. Specific Landscaping Plan, for the common areas and parks, which includes a listing of specific species to be used, numbers of each species to be included in the various landscaped areas, size and height at planting and size and height at maturity. The Landscaping Plan shall also include a detailed planting plan that shows the locations of the materials listed and includes detailed specifications of the irrigations system to be use to maintain the landscaping. Materials for the landscaping shall be those included in the Town of Clarkdale General Plan 2002, Xeriscape Plant List. The Landscaping Plan shall be designed by a certified landscape architect, licensed to practice in the state of Arizona.
2. The commercial area, town home area, multi-family area, parks and recreation facilities shall be subject to site plan review and design review.
3. The multi-family area structures will be limited to two stories in height.

4. An alley separation will be required between the multi-family area and the townhomes adjacent to this area. This will also provide emergency access to the multifamily area and a separation buffer to the adjacent townhome area.
5. A revised final plat will be submitted to address the changes to the Development Plan.
6. The residential lots developed as a part of the Planned Area Development shall be designed in accordance with the lot sizes, setbacks, and right-of-way widths indicated on the Final Development Plan.
7. That applicant will make every effort to use non-potable water during construction if available from Clarkdale or Cottonwood.
8. Applicant will meet the Town of Clarkdale lighting ordinance that is in place at the time of development.
9. The area zoned commercial will be developed in accordance with the permitted uses within the Neighborhood Commercial District as represented in the 2002 and 2011 Town of Clarkdale General Plan update.

The current restroom in the park area will be removed and turned into two lots. A new restroom in the park area will go through review process with Design Review and the Parks and Recreation Board.

Steve Biasini and Dana Belknap commented that the HOA will be revised, but will mostly maintain architectural control. Small landscaping area/drainage structures, not dedicated to the Town will be owned by the HOA.

Councilmember Bohall moved to approve Ordinance #333, an Ordinance of the Town of Clarkdale, Yavapai County, Arizona amending Zoning Ordinance #269 of the Town of Clarkdale, Arizona to rezone certain real property described herein from R 1, Single Family Residential to Planned Area Development (PAD) and restricting the use of the property to the development of no more than 241 residential lots and 13.76 acres of commercial on 102 acres which shall conform to the Commercial Zoning District within the Town of Clarkdale, and imposing conditions:

1. Specific Landscaping Plan, for the common areas and parks, which includes a listing of specific species to be used, numbers of each species to be included in the various landscaped areas, size and height at planting and size and height at maturity. The Landscaping Plan shall also include a detailed planting plan that shows the locations of the materials listed and includes detailed specifications of the irrigations system to be use to maintain the landscaping. Materials for the landscaping shall be those included in the Town of Clarkdale General Plan 2002, Xeriscape Plant List. The Landscaping Plan shall be designed by a certified landscape architect, licensed to practice in the State of Arizona.
2. The commercial area, town home area, multi-family area, parks and recreation facilities shall be subject to site plan review and design review.

3. The multi-family area structures will be limited to two stories in height.
4. An alley separation will be required between the multi-family area and the townhomes adjacent to this area. This will also provide emergency access to the multifamily area and a separation buffer to the adjacent townhome area.
5. A revised final plat will be submitted to address the changes to the Development Plan.
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7. That applicant will make every effort to use non-potable water during construction if available from Clarkdale or Cottonwood.
8. Applicant will meet the Town of Clarkdale lighting ordinance that is in place at the time of development.
9. The area zoned commercial will be developed in accordance with the permitted uses within the Neighborhood Commercial District as represented in the 2002 and 2011 Town of Clarkdale General Plan update.

Motion seconded by Councilmember Williams. Motion approved unanimously.

THIRD AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF CLARKDALE AND PTM ENTERPRISES, LLC. – Discussion and consideration of changes to the Development Agreement which reflect the changes to the Planned Area Development Ordinance.

Since Ordinance #333 made changes to the Planned Area Development (PAD) Ordinance for PTM Enterprises, the Development Agreement for PTM Enterprises needs to be revised to reflect those changes. The Third Amendment to the Development Agreement provides for the updated exhibits that tie the changes approved in the amended PAD Ordinance to the requirements of the Development Agreement. The amended PAD Ordinance, the revised Development Plan, the revised Circulation Plan and the Trails and Recreation Plan all become part of the Development Agreement.

Section 4.18 calls for the dedication of the trails and recreation facilities by PTM and required the Town to take action to accept that dedication once they are built.

Section 5.20 references the amended floodplain that has been approved by Yavapai County and will be reflected in the new FEMA Floodplain maps.

The amendment to the Development Agreement reflects the revised ownership of the project to PTM Enterprises from “Cliffrose” and “Verde Highlands”, and provides that the term of the Agreement shall be ten (10) years from the date of the Third Amendment to Development Agreement, which protects both the Town and the developer. The new name of the development will be “The Crossroads at Mingus”.

Councilmember Williams moved to approve the Third Amendment to Development Agreement between the Town of Clarkdale and PTM Enterprises, LLC. Motion seconded by Councilmember Regner. Motion approved unanimously.

Councilmember Williams left the meeting at 6:40 P.M.

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 John Rasmussen regarding the Water Advisory Committee's future.
2. Attended the National League of Cities Conference in Washington DC for four days.
3. Met with Governor Brewer as representative of the League regarding the budget and her support for Cities and Towns.
4. Attended the League Conference planning session.
5. Met with Lucinda Olsen and CPM Project Manager Jodie Filardo regarding bio-diesel.
6. Met with Town Manager Mabery and Community Development Director Bailey regarding the Spirit of Joy Church fee waiver request.
7. Attended the Verde Valley Leadership Issue Day.
8. Attended and judged the Mingus Car Show.
9. Attended the Greater Arizona Mayors Association meeting at the League offices and had lunch with legislators.
10. Met with Senator Pearce regarding SB 1525 - Impact Fees and SB1322 – Municipal Competitiveness.
11. Met with Arizona State Representatives Karen Fann and Andy Tobin at their offices.
12. Attended the Volunteer Appreciation event.

Councilmember's Report:

Vice Mayor Dehnert reported that the Pool Committee will be having an enchilada dinner at the school on April 19th. Over \$60,000 has been raised for the pool so far.

Town Manager's Report:

1. The Centerville Road chip seal project is underway.
2. The April 26th Special Council meeting has been cancelled.

3. Catelyn Norman hit her second home run of the season.

INFORMATIONAL REPORTS

CAT/ VVTPO– A report regarding the Cottonwood Area Transit and the Verde Valley Transportation Planning Organization & other transportation affiliations. Councilmember Bohall reported that the March 23rd Minutes were included in the packet. The Cordes Junction interchange work will be starting this month with major overhauls. 89A will be resurfaced from Jerome to Clarkdale. Town Manager Mabery reported that CAT met and discussed the need for better data for the policymakers to use to decide on usage for communities so budget decisions could be made.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District. Councilmember Williams – No Minutes.

VVLPI – A report regarding the Verde Valley Land Preservation Institute. Councilmember Williams – No report.

NACOG - A report regarding the Northern Arizona Council of Governments. Vice Mayor Dehnert - No report.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association. Mayor Von Gausig reported he attended the meeting by phone and there were discussions regarding the ADD Water Program.

VRBP – A report regarding the Verde River Basin Partnership. Mayor Von Gausig reported the Partnership held a general partnership meeting with a report on the Verde River and comments regarding forest land effects on the Verde River.

WAC - A report regarding the Yavapai County Water Advisory Committee. Mayor Von Gausig reported a scheduled meeting for next week.

VVREO – A report regarding the Verde Valley Regional Economic Organization – Councilmember Regner reported that a 2011 budget was adopted and they voted to ask each board member to commit to an annual board support fee of \$240.00. The organization is looking for ways to generate operating revenues including annual events, support from area Chambers of Commerce, municipal governments, and large businesses. VVREO along with Arizona Project Center for Rural Leadership, the Verde Watershed Association, and the Nature Conservancy will be hosting a community conversation May 19th. The topic is “exploring economic opportunities a healthy Verde River can provide to citizens of the Verde River Valley”.

YCL – A report from the Yavapai College Liaison. Councilmember Regner reported the College is searching for a replacement for Dr. Horton, the College will be conducting a mass casualty incident practice, and construction of a pavilion on campus is underway.

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 March 8, 2011 and Special Meetings March 8, 2011 and March 22, 2011.
- B. **Claims** - List of specific expenditures made by the Town during the previous month. March check log and PPE dated 3/2/2011, 3/12/2011, 3/26/2011.
- 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 March 23, 2011
Design Review Board Notice of Cancelled Meeting for March 2, 2011
Heritage Conservancy Board Notice of Cancelled Meeting for March 16, 2011
Library Advisory Board Notice of Cancelled Meeting for March 3, 2011
Parks and Recreation Board minutes of the meeting held March 9, 2011
Planning Commission minutes of the meeting held March 15, 2011
General Plan Update Committee minutes of the meeting held March 21, 2011
- D. **Verde River Basin Partnership (VRBP) Request for Clarkdale to be a Cooperator in the U.S. Geological Survey (USGS) Resource Advisory Committee (RAC) Grant** – Approval to proceed with the VRBP request to be a Cooperator.
- E. **Mongini Park Agreement** - Approval of the Mongini Park Agreement between the Town of Clarkdale and the Suisse Family Ranches Limited Partnership and UVX Mongini Cattle Co.
- F. **Sedona Recycles, Inc. Agreement for Contracted Services**– Approval of an Agreement for Contract Services with Sedona Recycles, Inc. for recycling drop off services in the Town of Clarkdale.
- G. **Broadway Connector Easement** - Approval of a Right-of-Way and Easement for Ingress and Egress and Utilities with Selna & Mongini Investments and Authorization for the Mayor to Execute the Easement.
- H. **American Red Cross Authorized Provider Agreement** – Approval of the Authorized Provider Agreement for Aquatics between the American Red Cross and the Town of Clarkdale for the 2011-2012 FY.
- I. **Resolution Setting Fees**- Approval of Resolution # 1361 which replaces Resolution #1337, Setting Fees, for the Town of Clarkdale by amending swimming pool fees.
- J. **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 St. Thomas Episcopal Church Spaghetti Dinner to be held Friday, April 29, 2011 from 5:30 P.M. to 9:30 P.M. at 889 1st South Street, Clarkdale, AZ.

By Agenda Addendum Item D was deleted and Item J was added.

Vice Mayor Dehnert moved to accept the Consent Agenda items A-J except for D as prepared by

staff. Motion seconded by Councilmember Bohall. Motion approved unanimously.

FISCAL YEAR 2010-2011 BUDGET UPDATE – A worksession to discuss the third quarter of the 2010-2011 FY budget.

This budget update is designed to provide the Town Council with an overview of the current budget position, discuss current budget and revenue projections, and talk about key areas in the Town's short term economic outlook.

Finance Director Bainbridge presented the third quarter budget comparison to the Council.

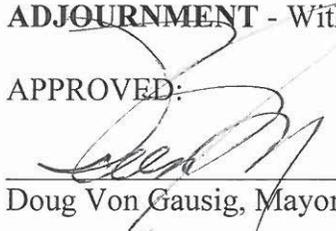
Fund	Expenses	% Budget	Revenues	% Budget
Streets	\$ 230,326.57	69.03%	\$ 251,197.63	75.29%
Wastewater	\$ 309,111.89	60.22%	\$ 261,060.35	75.18%
Sanitation	\$ 198,662.37	75.20%	\$ 209,396.84	76.42%
Water	\$ 806,277.70	60.66%	\$ 926,667.72	69.72%
Cemetery	\$ 48,109.50	127.81%	\$ 50,835.58	135.05%
General	\$1,615,705.63	66.83%	\$1,705,048.26	70.52%

Local sales tax collections are at 99% of the budgeted revenues and although budgeting was reduced from last year, actual collections have increased. Construction tax collections are at 124.30% of budgeted revenues, motor vehicle tax is 73.5% , state sales tax is at 83.95%, urban revenue sharing is at 82.52%, and HURF fund collections are at 75.84%.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda - None

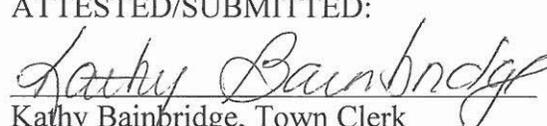
ADJOURNMENT - Without any further business, the Council adjourned at 8:05 P.M.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



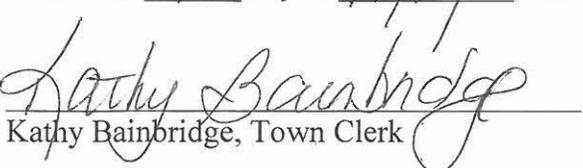
Kathy Bainbridge, Town Clerk

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 12th day of April, 2011. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 11 day of May, 2011

SEAL



Kathy Bainbridge, Town Clerk