

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, December 13, 2011**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 13, 2011, at 6:00 P.M. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 6:00 P.M. 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

Town Clerk/Finance Director Kathy Bainbridge

Utilities Director Wayne Debrosky

Human Resources/Community Services Director Janet Perry

Economic/Community Development Director 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.

David Gray – Concern regarding Mescal Well going in behind his property which is in the beginning stages of being planned.

Ellie Bauer – Made in Clarkdale was very successful.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor's Report:

- Attended National League Conference as acting President of League for four days and learned how other cities are coping with economy through attending many breakout sessions, attended the Presidents and League Directors Breakfast, League Presidents' Reception, and Municipal Legislative briefing.
- Attended Value Chain Training in Memphis for a few days.
- Arizona Parks Meeting conference calls regarding a presentation on the future of parks.

- VVREO Presentation at the new Community Conversation regarding landscape conservation and the Verde River Study.
- Attended the Intergovernmental Meeting in Jerome.
- Attended the Flinn-Brown Civic Leadership Academy and graduated from the course.
- State Parks Foundation strategic planning session run by Arizona Forward with discussions regarding saving Arizona State Parks.
- Attended the State of Our State 2011 Address held by the Morrison Institution.
- Met Jocelyn Gibbon, attorney for the Environmental Defense Fund, and Karen Smith to discuss legislative priorities for water planning in Arizona's future.
- Attended a meeting at ASU Global Institute of Sustainability for discussions with ecologists and economists regarding the value of eco system services in Arizona in the Verde and Salt rivers.
- Central Arizona Project tour in Tucson of infiltration basins.
- Attended a roundtable discussion with Arizona Water Resource Research Center, an organization primarily funded by the Bureau of Reclamation regarding the Verde River water issues.
- Attended a large scale conservation forum in Tucson.
- Met with American Rivers' Jamie Mireau and Stacey Williams and conducted 2 hour session with stakeholders in Blue Trails Project in the Verde Valley. They hired Mayor Von Gausig as project manager for Blue Trails Project in the Verde Valley. They then toured the upper Verde through Sycamore Canyon and viewed diversions. The next day they did a tour of the lower Verde and those diversions and water challenges. The Blue Trails Project may include entire Verde River. Clarkdale area will be initial Blue Trails Project.
- Lunch with Penny Wills, President Yavapai College, regarding the viticulture program and water utilization.
- Attended the Greater Arizona Mayor's Association meeting.
- Met with Nancy Laplaca discussion regarding renewable energy standards metering.
- Attended phone conversions with Maricopa County Mayors regarding strategic planning of the League of Cities and Towns.
- Assumed position of President of League of Cities and Towns.

Vice-Mayor's Report:

- State of State Program – Heard much about education and maximizing investment in

education for future workforce development.

Councilmember Report:

- Councilmember Regner reported on the State of State – Institutional knowledge for elected officials. DNA of Arizona – reasoning of Arizona politics.

Town Manager Report:

- Commented on many scheduled events this month - Holiday lights, Made in Clarkdale, Library Book Sale, Historical Society/Museum Home Tour, reenactment of bank robbery, Copper Museum tour, Santa in Clarkdale and a new event of caroling in the park.
- Spirit of Joy Church ahead of schedule except water/wastewater (PTM) infrastructure is not completed at this time.

Organizational Reports – Reports regarding regional organizations.

CAT/ VVTPO – Cottonwood Area Transit and the Verde Valley Transportation Planning Organization & other transportation affiliations. Councilmember Bohall reported that letters have been written regarding monies being raided from transportation. Full Minutes are on file.

VVLP – Verde Valley Land Preservation - Councilmember Williams had no report.

NACOG - Northern Arizona Council of Governments - Vice Mayor Dehnert reported no meeting.

NAMWUA - Northern Arizona Municipal Water Users Association - Mayor Von Gausig reported no meeting.

VRBP – Verde River Basin Partnership. Mayor Von Gausig did not attend but reported that they increased the size of their coordinating committee and discussed their new education program regarding Verde River impacts in the Verde Valley.

WAC - Yavapai County Water Advisory Committee. Mayor Von Gausig attended where they discussed with the WAC Technical Group reluctance regarding using the ground water study model.

VVREO – Verde Valley Regional Economic Organization. Councilmember Regner reported they are beginning work on a Speaker Series to begin next fall. The Verde Valley Wine Consortium in partnership with the Arizona Wine Growers Association were selected as one of the five project winners of the Center for the Future of Arizona's Five Communities Project grant program.

YCL – A report from the Yavapai College Liaison. Councilmember Regner reported of a meeting with President Penny Wills regarding the viticulture program and water usage issues, attended the dedication of the new Pavilion at the Clarkdale Campus, and that the Yavapai College Foundation has decided to transfer 20 acres it owns adjacent to the Clarkdale campus to the college. The Clarkdale campus will be closed this summer for renovations.

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 November 8, 2011, and Special Meetings held on November 29, 2011.

- B. Claims** - List of specific expenditures made by the Town during the previous month. 12/5/11 check log and PPE dated 11/05/2011.
- 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 Cancellation of meeting November 23, 2011
Design Review Board – Notice of Cancellation of meeting December 7, 2011
General Plan Update Committee – Notice of Cancellation of meeting November 21, 2011
Library Advisory Board minutes of the meeting held November 3, 2011
Parks and Recreation Board minutes of the meeting held November 9, 2011
Planning Commission minutes of the meeting held November 15, 2011
- D. Arizona Diamondbacks Foundation Grant Application** – Approval for Submission of a Grant to the Arizona Diamondbacks Foundation for Selna Ballfield Improvements.
- E. Approval Of Waiver Of Town Fees For Boys and Girls Clubs of Northern Arizona** – To approve a request for a waiver of Town Fees for use of the Clark Memorial Clubhouse Auditorium by Boys and Girls Clubs of Northern Arizona for January 7, 2012.
- F. Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor License and Control to approve a Special Event Liquor License for the Yavapai College Foundation fundraising event to be held on Thursday, January 5, 2012 from 12:00 p.m. – 5:00 p.m. at the Yavapai College Campus, 601 Black Hills Drive, Clarkdale, AZ.

Councilmember Williams moved to accept the Consent Agenda Items A - F as presented. Motion seconded by Councilmember Bohall. Motion approved unanimously.

NEW BUSINESS

FISCAL YEAR 2010-2011 ANNUAL FINANCIAL STATEMENTS – Presentation of the Annual Financial Statements and consideration of approval of the 2010-2011 Annual Financial Statements.

The annual audit and the auditor reports have been completed for Fiscal Year 2011. The Annual Financial Statements and Independent Auditors’ Report summarizes all funds including General, Streets, Water, Wastewater, Sanitation, and Cemetery, and is presented on the basis of accounting prescribed by the Uniform Expenditure Reporting System (UERS), as required by the Arizona Revised Statutes, and in accordance with the voter-approved alternative expenditure limitation. Included in the report is the Management’s Discussion and Analysis, starting on page iii, which was written by Finance Director Kathy Bainbridge and provides an overview of the

financial activities for the fiscal year ended June 30, 2011, along with an introduction to the basic financial statements. The Independent Auditors' Report on compliance applicable to the uses of Highway User Revenue Fund monies is located on page 35.

The Financial Statement shows there are no negative fund balances as in previous years and that transfers to cover negative fund balances in the past have been paid back in order to better reflect the financial status of each fund. Budgeted depreciation in the water fund was able to be saved to start a depreciation fund for future water infrastructure maintenance.

The Auditors' Report on Compliance and on Internal Controls states that they did not identify any deficiencies in internal control over financial reporting that they consider to be material weaknesses. The results of the audit testing disclosed no instances of noncompliance or other matters that are required to be reported under Governmental Auditing Standards.

Vice Mayor Dehnert moved to approve the Annual Financial Statements and Independent Auditors' Report dated June 30, 2011. Motion seconded by Councilmember Regner. Motion approved unanimously.

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 COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY" - Discussion and consideration of Resolution # 1386, a Resolution declaring the above named Ordinance which amends the political sign ordinance in the Town of Clarkdale Zoning Code, a public record to be adopted by Ordinance #339.

In order to conform to the recent State Legislation changes the following Zoning Code Amendment has been reviewed and recommended for approval by the Planning Commission to the Council.

ARS16-1019(C) states that Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:

1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.
2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.
3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).
4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.
5. The sign contains the name and telephone number of the candidate or campaign committee contact person.

Window (4)	P	P	P	P	P	P	P	P	P	P	P
Wind (5) Banners, Pennants, Streamers	P	P	P	P	P	P	P	P	P	P	P

P= Permitted N= Not Permitted

- (1) Not to exceed 6 square feet.
- (2) Not permitted within 75 feet a residential district for PUD or PAD development.
- (3) For sale, for lease signs not to exceed 5 square feet in residential districts.
- (4) Home occupation only signs permitted in residential districts.
- (5) Permitted for a maximum of 5 days for bonafide Grand Openings, Going Out of Business Sales, Open House, or similar short term events.

ARS16-1019(F) states that Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

Council approval must also include the “sign free zone” map. Attached is a jpeg format of the noted map along with a district map supporting the sign free zone area designation. To save the cost of publishing in the newspaper a lengthy ordinance, this change is being first made a public record by resolution (this agenda item) and then is adopted by reference by an ordinance.

The council thought we should Cite that ordinance is in compliance with A.R.S. so it was clear that we were only following statute.

After discussion regarding allowable placement signs in the “sign free zone” legal advice regarding restriction of signs in sign free zone will be sought and this item will be brought back to council at a later date.

Vice Mayor Dehnert moved to table Resolution #1386 in order to obtain legal advice regarding signage on private property in the political sign free zoning area under A.R.S. Motion seconded by Councilmember Williams. Motion approved unanimously.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING SECTION 7-5 (D), PROHIBITED SIGNS, SECTION 7-6(H) PERMITTED SIGNS – POLITICAL, THE PERMITTED SIGNS BY TYPE AND ZONE DISTRICT CHART, AND THE POLITICAL SIGN FREE ZONING MAPS OF THE TOWN ZONING CODE OF THE TOWN OF CLARKDALE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #339, an ordinance amending the political sign section of the Clarkdale Zoning Code.

This ordinance adopts the document made a public record by Resolution #1386.

Vice Mayor Dehnert moved to table Ordinance #339 in order to obtain legal advice regarding signage on private property in the political sign free zoning area under A.R.S. Motion seconded by Councilmember Bohall. Motion approved unanimously.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda
Councilmember Bohall requested that a water/wastewater fund for paying utility bills.

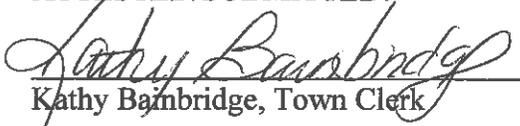
ADJOURNMENT - with no further business, Mayor adjourned the meeting at 7:40 P.M.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



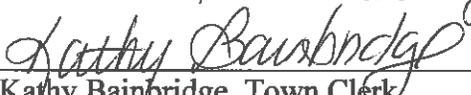
Kathy Bainbridge, Town Clerk

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 13 December 2011. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 12 day of January, 2011

SEAL



Kathy Bainbridge, Town Clerk