

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, July 10, 2012**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, July 10, 2012, 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 6:02 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Rennie Radoccia

Councilmember Bill Regner
Councilmember Curtiss Bohall

Town Staff:

Town Clerk/Financial Director Kathy Bainbridge
Acting Town Manager/Community Development Economic Director Jodie Filardo
Utilities/Public Works Director Wayne Debrosky
Community Services/Human Resources Director Janet Perry
Interim Public Safety Officer John Wintersteen
Administrative Assistant Mary Ellen Dunn

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.

Carl Campio from Centerville (Clarkdale), a 45 year resident, had a comment about the road by his home that creates a problem and possible town liability. He requests assistance from Council to act on this issue to alleviate possible injuries or liability to Town. Mayor Von Gausig advised Mr. Campio that because this issue was not an agenda item it could not be discussed but encouraged continued dialogue with Public Works Director Debrosky and if further action is needed Council should be notified.

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:

June 12, 2012:

Met with Congressman Gosar's liaison, Julie Schreiner;
Attended Value Chain Training.

June 13, 2012:

Flew to Washington, D.C.

June 15, 2012:

Attended Department of Interior's Blueways conference – trying to

arrange a new Blueways program that would help publicize and conserve rivers. Attendants at this conference were asked by the Department to advise them about what was needed and what programs would work best for the rivers each represented.

June 19, 2012:

Police chief interviews.

June 22, 2012:

Met with Legislative Director for League of Arizona Cities and Towns (LACT), Jim Ogsbury.

June 25, 2012:

Attended Verde River Valley Nature Organization steering committee meeting and Verde River Institute steering committee meeting. Both organizations are just getting started.

June 26, 2012:

Met with Don Stillwell, Joe Brunner and Angie Harmon of Freeport McMoRan regarding diversion. They came to speak about what they could do for Clarkdale as far as gaining access to the river approaching their land and making improvements to land that would make safer recreational transit.

June 27, 2012:

Met with Jim Duncan (district manager, Unisource) and Bill Parry.

Meeting with Yavapai-Apache Nation regarding water and how they could be better served by Clarkdale.

Had lunch with Jocelyn Gibbon of the Environmental Defense Fund.

June 28, 2012:

VVREO Community Conversation followed by Verde River Institute preservation and goal-setting.

June 29, 2012:

Met with Ken Strobeck, LACT Executive Director about how legislative team could work more effectively and which initiatives might be opposed or supported.

July 2, 2012:

Officers meeting of LACT.

July 3, 2012:

Had lunch with local hydrologist, Phil Briggs.

July 4, 2012:

Old Fashioned Fourth of July Town of Clarkdale celebration.

July 6, 2012:

LACT special meeting regarding initiatives on the November ballot.

Met with Jane Whitmire to talk about her doctoral dissertation (on public engagement) especially with regard to water.

July 9, 2012:

Walton Family Foundation phone call regarding Clarkdale project possibilities.

Met with Representative Tom Chabin regarding his run for State Senate.

July 10, 2012:

LACT legislative update at Cottonwood Recreation Center about the League's efforts and legislative priorities.

Vice-Mayor's Report:

Participated in interviews for police chief.

Attended Lion's Club's 50th Anniversary Celebration for Dave Andrews and presented him with proclamation.

Met with Representative Tom Chabin.

Attended Town's Fourth of July celebration.

Attended LACT forum and how they represented cities and towns.

Councilmember Bohall's Report:

Watched new sidewalk being poured on Broadway as part of the CDBG project and heard good comments made by passersby and workers.

Councilmember Regner's Report:

Attended the Town's Fourth of July event.

Met with Representative Tom Chabin who spoke of ideas of interest to Verde Valley that he will take to the legislature.

Attended LACT's legislative update.

Councilmember Radoccia's Report:

Received full orientation from town staff on protocol and orientation from Interim Public Safety Director John Wintersteen.

Town Manager's Report: (by Acting Town Manager Jodie Filardo)

Town Manager Mabery will return from her vacation following return on the 12th.

Gave reminder to come by the Men's Lounge this Saturday at 6 p.m. for dedication of Centennial Park. They will be staging a ribbon cutting and would like as many people as possible in the picture that will be included in the time capsule.

Organizational Reports – Reports regarding regional organizations.

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

Bohall: CATS did not have official meeting but did have an Open House at the City of Cottonwood on June 27th. Approximately 25-30 people attended, and a majority of them had some disability. They expressed concern that the program called "taxi voucher" is going away due to alleged misuse to the point that they were out of money. The people attending disagreed on the misuse of the program.

VVTPO – No report.

NACOG - Northern Arizona Council of Governments. Vice Mayor Dehnert: The meeting on the 26th was attended by Councilmember Regner as the alternate and the following items were discussed: 1) Two percent cost of living salary adjustment (increase) for staff approved; 2) approved administrative budget for the year; 3) accepted the Executive Director, Chris Fetzler's performance evaluation; 4) re-designation of Head Start program and are pleased with the way it is running. Director, Jesse Rodriguez made presentation; 5) Terry Drew gave update on Economic Development Council; 6) USDA has offered a grant to continue funding; 7) Rural Transportation Advocacy Council representative spoke about transportation funding and the highway trust fund. There was a list of the 19 transportation enhancement applications and it was formerly believed that Clarkdale was ranked at the top of that list; however Clarkdale is #4 on the rankings. Vice Mayor Dehnert stated he believes that the top four would be funded. The amount of funding in question is \$638,264; 8) NACOG's new officers were announced.

NAMWUA - Northern Arizona Municipal Water Users Association. Councilmember Radoccia: No report – the meeting is Friday, July 20th at Payson City Hall.

VRBP – Verde River Basin Partnership. Councilmember Radoccia: No report

WAC - Yavapai County Water Advisory Committee. Mayor Von Gausig: No report

VVREO – Verde Valley Regional Economic Organization. Councilmember Regner: Moving toward consolidating information gathered over the past year and integrating that information with different studies on water and waterways in the Verde Valley. This information will then be available to interested parties. The process of building infrastructure to support the Revolving Loan Fund program is continuing.

Planning for the first Annual Speakers Series continues and will be held Thursday, September 20, 2012 at the Sedona Hilton and Spa from 7 a.m. to 10 a.m. Grady Gammage, Jr. will be speaking.

YCL – Yavapai College Liaison. Councilmember Regner: Verde Valley campus James Perey assumed new role as dean. Renovations continue. Intensive capital campaign to raise \$3.5 million to fund the Southwest Wine Center 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 June 12, 2012 and Special Meetings June 5 and June 26, 2012.
- B. **Claims** - List of specific expenditures made by the Town during the previous month. June, 2012 check log and PPE dated June 2nd, 16th & 30th, 2012.
- 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 minutes of the meeting held June 27, 2012
Design Review Board minutes of meeting held June 6, 2012 and Notice of Cancellation of Meeting July 4, 2012
Planning Commission minutes of the meeting held June 19, 2012 and Notice of Cancellation of Meeting July 17, 2012
Library Advisory Board minutes of the meeting held June 7, 2012
- D. **Proclamation Proclaiming the Month of August 2012 as Drowning Impact Awareness Month**– Approval of a Proclamation declaring the month of August 2012 as Drowning Impact Awareness Month.

Councilmember Regner pulled Item A of the Consent Agenda.

Councilmember Regner moved to approve Consent Agenda Items B, C, and D as presented. Councilmember Radoccia seconded the motion. The motion was approved unanimously.

- A. **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held June 12, 2012 and Special Meetings June 5 and June 26, 2012.

Councilmember Regner referred council to the minutes of the Special Session of June 5th and would like council to allow him to summarize what his comments were at the time which he stated he didn’t feel were wholly reflected. Stated that he believed that errors had occurred and due to the absence of the voice recording is unable to pinpoint but has written a summary of what he would like to say. Mayor Von Gausig approved the reading of that summary which is as follows:

“Councilmember Regner read statements he wrote about each candidate and his or her qualifications and stated his preference to have Ruth Wicks fill the vacant seat. Councilmember Regner expressed the concern regarding the decisions that will confront the Council over the next two years as they further incorporate the concepts of sustainability and measure their short term impacts on the lives of our residents. The Council’s commitment to factor in the true costs of our consumption as we establish policies may cause hardships especially to those with limited and fixed incomes. Under the Council’s current leadership that process has moved forward on these issues at a

measured pace with careful attention to citizen involvement and explanation on why these actions and policies make sense. Councilmember Regner expressed the importance to the residents of Clarkdale that those impacts are being fully considered and the concern regarding the perception of a Council that is too activist towards sustainability policies might generate a reaction that could derail this important work.

Councilman Regner's comments in support of Ruth Wicks cited her deep ties to this community through a lifetime of involvement professionally and as a volunteer. Those comments also stated the value he places on having a respected woman's perspective on our Council."

Councilmember Regner moved to amend the minutes of the June 5th Special Meeting as read. Vice Mayor Dehnert seconded the motion.

Discussion followed. Vice Mayor Dehnert stated that he wasn't sure he could support deleting the paragraph reported by staff and suggested leaving the minutes as provided and allowing statement to be entered as a clarifying amendment.

Vice Mayor Dehnert withdrew his second to Councilmember Regner's motion and Councilmember Regner withdrew the motion.

Councilmember Regner amended his motion.

Councilmember Regner moved to insert the paragraph that he wrote beginning "Councilmember Regner read statements he wrote about each candidate" and ending "woman's perspective on our Council". Vice Mayor Dehnert seconded the motion.

Mayor Von Gausig noted that the intent of minutes is to allow somebody in the future to have the ability to look back and decide why decisions are made and will approve the amendment if Councilmember Regner feels strongly about it creating significant impact to future council's understanding of what this action was about.

Motion carries unanimously with abstention from Councilmember Radoccia who was not a councilmember at the time of the July 5, 2012 meeting.

NEW BUSINESS

CLARKDALE MAGISTRATE COURT UPDATE – An update to discuss the administration and operations of the Clarkdale Magistrate Court.

The Town Magistrate's employment contract contains provisions for an annual meeting with the Council in order to provide updates on the administration of the Clarkdale Magistrate Court. Judge Ramsey will be providing a summary presentation of the courts' operations to Council.

Judge Ramsey presented highlights of the court operations in the past year and gave brief overview of the Judicial Conference that occurred in June. International presenters included the Chief Justice of Iraq and the retired Federal Prosecutor from Kosovo. The national level

speaker discussed the political ouster of appellate and state Supreme Court judges. The Arizona Chief Justice spoke with a focus on judicial officers making themselves aware of what's going on in their communities.

Judge Ramsey further expressed the need to re-hire the part time clerk that had been previously allocated to that department.

Highlights of the Magistrate Court and new laws and updates were illustrated. A discussion ensued with regard to the new Medical Marijuana rules, the conflicts that exist in the rules, and impairment detection. It was noted that if there is a charge that ends up in court, the disposition of the case would be determined through a jury trial, which is quite expensive.

Judge Ramsey stated he would like to update information on web pages and add information including a court evaluation form for public feedback.

**PUBLIC HEARING REGARDING RAW WATER CONSERVATION BLOCK RATES –
Discussion regarding the creation of Raw Water Conservation Block Rates.**

The Town of Clarkdale's Raw Water Conservation Rate program provides eligible government, corporate, academic and non-profit organizations with the opportunity to demonstrate innovations in water conservation approaches, technologies and education, while being served water by the Clarkdale Municipal Water Utility under the Raw Water Conservation Rate pricing category. Customers under this class must meet eligibility requirements and be approved for eligibility by the Clarkdale Town Council.

On May 2, 2012, the Notice of Intent to Set Water Rates for the Raw Water-Conservation Block Rate and the report with the data supporting the new rate was submitted to the Town Clerk as required by A.R.S. 9-511.01. The Notice of Intent to Set Water Rates that scheduled this required public hearing in order to officially consider the new rate as required by A.R.S. 9-511.01 was adopted on May 8, 2012. The Public Hearing Notice was published in the Verde Independent on June 13th as required, not less than 20 days prior to this public hearing. Rates become effective 30 days after the adoption of the Resolution.

Block	Current Potable Rate (per thousand gallons)	Proposed Raw Water Conservation Rate (per thousand gallons)
0 – 1,000 Gallons per month included in base rate	\$ 0	\$ 0
Block 1 (1,000-5,000 gallons)	\$4.35	\$1.31
Block 2 (5,001-10,000 gallons)	\$4.45	\$1.33
Block 3 (10,001-15,000 gallons)	\$6.25	\$1.72
Block 4 (15,001-20,000 gallons)	\$6.50	\$1.78

Block 5 (20,001-25,000 gallons)	\$9.25	\$2.32
Block 6 (25,001-30,000 gallons)	\$9.45	\$2.36
Block 7 (Over 30,000 gallons)	\$9.60	\$2.40

Utilities/Public Works Director Debrosky presented information regarding the history of the raw water conservation block rates.

Mayor Von Gausig opened the hearing to public comment. There was no public comment. Mayor closed public comment.

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA REPLACING RESOLUTION #1396, SETTING FEES FOR THE TOWN OF CLARKDALE, BY CREATING RAW WATER CONSERVATION BLOCK RATES - Discussion and consideration of Resolution #1399, a resolution creating Raw Water Conservation Block Rates in the Town Fee Schedule.

Pursuant to A.R.S. 9-499.15, The Town of Clarkdale has posted notice at least sixty days prior to this meeting, the proposed new or increased fees scheduled to be approved or disapproved at a meeting of the Clarkdale Town Council on the Town of Clarkdale website.

On May 2, 2012, the Notice of Intent to Set Water Rates for the Raw Water-Conservation Block Rate and the report with the data supporting the new rate was submitted to the Town Clerk as required by A.R.S. 9-511.01.

The Notice of Intent to Set Water Rates that scheduled the required public hearing in order to officially consider the new rate as required by A.R.S. 9-511.01 was adopted on May 8, 2012. The Public Hearing Notice was published in the Verde Independent on June 13th as required, not less than 20 days prior to this public hearing. Rates become effective 30 days after the adoption of the Resolution.

Public Works/Utilities Director Debrosky was available for questions. Councilmember Bohall asked if this resolution applied to reclaimed water and was advised that it was a different class of water and does not apply. Vice Mayor Dehnert asked why the rate for raw water was cheaper than reclaimed water and Utilities/Public Works Director Debrosky said there is more expense to treat the reclaimed water and the raw water cost would only involve those to do with pumping.

Vice Mayor Dehnert asked if this opportunity is available because we have more water than we need to use and Debrosky stated that the intent is to give entities the option of a lesser rate if they meet certain criteria. The council has to approve anybody who would get the lesser rate.

Councilmember Radoccia stated that delivery of raw water required the infrastructure to be in place or built. The pipe from the Haskell Springs tank has not been put in place yet. Councilmember Radoccia asked if the college would be paying for that in full and Debrosky responded that they will be required to pay that in full. He further stated that it seemed to be

a better solution for the college to use the existing casing on the Haskell Springs property that the Town could regularly monitor as opposed to the college drilling a new well.

Councilmember Radoccia noted that the pump pulled from his private well had static water that has risen from 250 to 242 feet and so someone is doing a good job in stewardship.

Councilmember Regner asked if the Town would be paying to make the well operational and Debrosky stated that we would. We had an existing well casing at the Haskell Springs site that was never put into service. The college will pay to put pumps in and the entire infrastructure to deliver water to the property.

Vice Mayor Dehnert asked if we have rules in place for how the raw water may be used and if those rules would be customized for each applicant; Mayor Von Gausig stated that the council can set those rules and the Council may customize those rules for each applicant but the overall incentive was to encourage practices that would be innovative in the conservation of water.

Councilmember Regner moved to approve Resolution #1399, a Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona replacing Resolution #1396, Setting Fees for the Town of Clarkdale, by creating Raw Water Conservation Block Rates. Councilmember Bohall seconded the motion. The motion was approved unanimously.

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

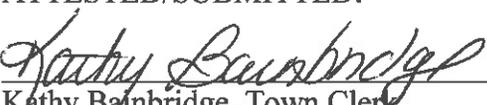
ADJOURNMENT – Mayor Von Gausig adjourned the meeting at 7:56 p.m. without objection.

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 10th day of July, 2012. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 15 day of August, 2012.

SEAL



Kathy Bainbridge, Town Clerk