Minutes of a Special Session of the Common Council of the Town of Clarkdale Held on Thursday, November 1, 2012

A Special Meeting of the Common Council of the Town of Clarkdale was held on Thursday, November 1, 2012, at 9:30 a.m. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 9:33 A.M. by Mayor Von Gausig.

Town Council:
Mayor Doug Von Gausig
Vice Mayor Richard Dehnert (absent)
Councilmember Reynold Radoccia
Councilmember Curtiss Bohall
Councilmember Bill Regner

Town Staff:
Town Manager Gayle Mabery
Town Clerk/Finance Director Kathy Bainbridge
Community Services/Human Resources Director Janet Perry
Utilities/Public Works Director Wayne Debrosky
Economic/Community Development Director Jodie Filardo
Senior Planner Beth Escobar
Deputy Clerk 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.

There was no public comment.

NEW BUSINESS

AN ORDINANCE OF THE TOWN MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, CREATING ARTICLE 11-6, SETBACKS FROM ODOR PRODUCING FACILITIES, OF THE CODE OF THE TOWN OF CLARKDALE, ESTABLISHING A SETBACK OF 25 FEET FROM ODOR-PRODUCING COMPONENTS OF THE CLARKDALE WASTEWATER TREATMENT PLANT LOCATED ON APN 400-07-002 – Discussion and consideration of Ordinance #345, an ordinance establishing odor-producing setback requirements for the new wastewater treatment plant.

ADEQ requires that all wastewater treatment facilities meet the setback requirements in Arizona Administrative Code (A.A.C.) R19-9-B201(I). If the setback requirements cannot be met on an existing treatment plant site (A.A.C.) R19-9-B201(I)(2)(A) allows municipalities to establish setback requirements that differ from those outlined in (A.A.C.) R19-9-B210(I).

The existing Town of Clarkdale Wastewater Treatment Plant (WWTP) was grandfathered-in and did not have to meet the existing regulatory setback requirements until the Town started the recent WWTP upgrades. As part of the recent WTTP upgrades the Town was required to modify its existing Aquifer Protection Permit (APP) and to address the setback requirements for this facility. If a facility cannot meet setback requirements, municipalities can pass an ordinance reducing the setbacks, or through engineering controls install equipment to address any potential odor issues.

According to Article 11-6 the Town of Clarkdale shall maintain a 25 foot set-back from odor-producing facilities at the Wastewater Treatment Facility site that are constructed without noise or aesthetic controls and are located on Assessor's Parcel Number 400-07-002. Such setback shall be measured from the location of odor producing facility and extend 25' from the outside edges of said odor producing facility.

Utilities Director Wayne Debrosky presented background on this agenda item. If future problems were to occur, the Town would be required to install certain odor-control devices, however, based on the history of the plant, Debrosky stated that there have been no odor complaints at this facility. The issues regarding any odor generation would be when the waste is pumped to the remote site.

Mayor Von Gausig stated that 1) our waste water was tested years ago for odor potential and there was found to be a very low potential and asked 2) if this mechanical system that is totally enclosed in tanks reduce potential for odors?

Debrosky stated that the system was not totally enclosed, however it is much more enclosed than the current operating system. There is considered to be less potential to produce odors with this system. This situation has generated the request that Council approve the ordinance that would create the setbacks.

Councilmember Radoccia asked if there was any reason why we wouldn't take setback line to our property line to make it as extensive as possible without encroaching on anyone else. This shows the Town's best effort to extend the odor easement. Town Manager Mabery stated that the 25' setback was not as random as it may appear – trying to maintain uniform distance all the way around the facility. Radoccia also questioned about possible future problems the Town could encounter with the equipment and a claim was made against us would we be required to install odor control devices? Mabery stated that there would not be a requirement but an option.

Radoccia noted that protections for the Town would be appropriate. Mabery stated that if this were a new project we would be building it to meet current standards; this ordinance is written to be specific only to that parcel that we have the existing wastewater plant on. Mayor Von Gausig stated that we can't write an ordinance based on what we might do in the future, it is based on what the law is. And if ADEQ says we have to provide these devices that would supersede any ordinance.

Councilmember Regner moved to approve Ordinance # 345, an Ordinance of the Town Mayor and Council of the Town of Clarkdale, Yavapai County, Arizona, creating article 11-6, Setbacks from Odor Producing Facilities, of the Code of the Town of Clarkdale, establishing a setback of 25 feet from odor-producing components of the Clarkdale

wastewater treatment plant located on APN 400-07-002. Councilmember Bohall seconded the motion. The motion was approved with three votes in favor and one opposing.

Mayor Von Gausig called a short recess to give the guest speakers an opportunity to set up their equipment. The session resumed at 10:05 A.M.

PRESENTATION BY THE ARIZONA COMMERCE AUTHORITY REGARDING ECONOMIC DEVELOPMENT - A presentation on the tools currently available to encourage economic development across the state.

Based on the recent Governor's Economic Development Conference held in September 2012, Keith Watkins, Senior Vice President, Economic Development & Rural Development and Ben Bronson, Manager, Rural Development were invited to make a presentation to Clarkdale's Council and Planning Commission on the tools to encourage economic development currently available across the state. This will be an opportunity for everyone to ask questions of these two economic development experts as Clarkdale continues to expand its foray into economic development. This meeting kicks off a two-day introduction to the Verde Valley for this ACA team by the Verde Valley Regional Economic Organization. All the municipalities are working together to create this event.

Keith Watkins is a third generation Arizona native, bringing 25 years of experience in economic development and real estate to the Arizona Commerce Authority. In his capacity as Sr. Vice President, Economic Development he works with communities and companies alike to foster the economic expansion of the state. Mr. Watkins has played a pivotal role in recruiting and retaining some of the state's most prominent employers. He has served in similar capacities at the Greater Phoenix Economic Council, Economic Alliance of Greater Baltimore and the Town of Buckeye. Keith's real estate background includes land development where he managed the acquisitions, entitlements, development and sales of large master planned communities. Mr. Watkins is a graduate of the University of Arizona with a Bachelor of Science degree in Regional Development.

Ben Bronson is an Edson Entrepreneur Initiative at ASU winner and Army veteran of Operation Iraqi Freedom, bringing firsthand experience in enterprise and 10 years of leadership and dedication to excellence to the Arizona Commerce Authority. As Manager, Rural Development, he is building relationships in rural communities, economic development, industry, government, and utilities for greater collaboration in the strategic advancement of Arizona. As an entrepreneur, he understands how to take the initiative to accomplish lofty goals by pulling up his bootstraps and putting his nose to the grindstone. As a soldier his service to our nation was exemplary, being awarded the Army Achievement Medal and the Army Commendation Medal for his meritorious service and exceptional leadership. Mr. Bronson is an alumnus of Arizona State University with a Bachelor of Arts in Communication.

Community Development/Economic Director Jodie Filardo introduced Keith Watkins and Ben Bronson, the presenters. Mr. Watkins stated that the ACA is attempting to find out from Arizona communities what types of property (primarily land but eventually buildings as well) that would be available for economic development. They are looking for land that has the ability to be ready immediately.

Economic Director Filardo noted that one of Clarkdale's particular challenges is the number of historic buildings, many of which are not ADA compliant and have other types of issues that would prevent them from being eligible for this program. Mr. Watkins stated that site selectors look for certified sites which ACA is developing for the property owners. The Town can help mitigate some of the issues faced by the property owner by deferring fees, providing variances, and offering other types of creative assistance.

Councilmember Regner asked about what types of assistance would be available and Mr. Watkins stated that most would be for training costs, state corporate income tax credits; however "brick and mortar" assistance was not currently available.

Following the presentation, Mayor Von Gausig opened the discussion to public comment.

Bill Snyder, Clarkdale resident – asked if there was a charge for the service and was informed that the services were provided free of charge.

Jack Van Wye, Clarkdale resident – 1) there is not a lot of industry in Clarkdale, our focus should be on entrepreneurship and Mr. Watkins stated that there was an entire effort within their organization that focuses on entrepreneurship that includes a speaker series, attending venture capital events, etc.; 2) Mr. Van Wye also asked if the current site certification states were successful and Mr. Watkins noted that the success was mixed but that Oregon was especially successful in the Data Center models; 3) Mr. Van Wye asked what the financial capabilities of the ACA are, how many awards are in Maricopa County, and what are the terms of the loans; Mr. Watkins responded that the preponderance of awards are in Maricopa County but there are many others in smaller communities; a typical term is a loan amount of $50,000 to $2,000,000 with a 4 – 5 year payback, a percentage point or two above prime, and they also use the primary lender's underwriting work so the client doesn't have to submit another set. They will also fund the primary lender so the client only has to make one payment.

Janet Regner, Clarkdale resident asked what the elements are of a successful property and what kind of collaboration do they need and Mr. Watkins responded that the first thing a region needs to do is to come together because a company doesn't know where Clarkdale stops and Cottonwood begins so unification is important to the client from out of town or out of state to avoid "leakage" of the dollar spent outside of the community. The other thing that is important is that the property owner/Town should be ready when the companies do come.

Ida deBlanc, Clarkdale resident stated that as a local business owner she sees a missing component in this operation. A home-based business person who has talent and expertise and who would like to be a resource to these incoming businesses does not have a link and she stated she feels this is an important component. Mr. Watkins stated that the small business link to the incoming businesses would usually come from the local Chamber of Commerce and the ACA would leave the community to showcase those businesses.

Mayor Von Gausig noted his interest in the certified properties. It seems this would be the responsibility of the staff to provide this certification and asked how the ACA helps the communities get as many of these sites certified as possible so they can qualify. Breakfast and luncheon meetings with the property owners at the same time with ACA representatives would be a good start.

No Council action is required.

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

ADJOURNMENT – without objection, the Mayor adjourned the meeting at 11:14 A.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.

APPROVED:

Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:

Kathy Bainbridge, Town Clerk