

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, February 26, 2013**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 26, 2013, at 3:00 p.m. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

**CALL TO ORDER** – Meeting was called to order at 3:01 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig

Councilmember Reynold Radoccia

Vice Mayor Richard Dehnert

Councilmember Curtiss Bohall

Councilmember Bill Regner

Town Staff:

Town Manager Gayle Mabery

Town Clerk Kathy Bainbridge

Community Development/Economic Director Jodie Filardo

Community Services/Human Resources Director Janet Perry

Utilities/Public Works Director Wayne Debrosky

Police Chief Randy Taylor

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.

**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. **Reports** - Approval of written Reports from Town Departments and Other Agencies  
Building Permit Report – January, 2013  
Capital Improvements Report – January, 2013  
Magistrate Court Report – January, 2013  
Water and Wastewater Report – January, 2013  
Police Department Report – January, 2013  
CAT/Verde Lynx Statistic Report – January, 2013
- B. **A Resolution of the Mayor and Common Council of the Town of Clarkdale, Yavapai County, Arizona urging the Arizona Legislature and Governor to discontinue diversion of Highway User Revenue Funds – Approval of**

Resolution #1423, a resolution urging discontinued diversion of Highway User Revenue Funds.

**Councilmember Regner moved to approve Consent Agenda Items A and B as presented. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

## **OLD BUSINESS**

**PROFESSIONAL SERVICES CONTRACT WITH LACHER HYDROLOGICAL CONSULTING** – Discussion and consideration of a service contract for hydrological consulting in support of the Walton Family Foundation-funded Sustainable Clarkdale project.

At the December 11, 2012 meeting of the Council, the new agreement with the Walton Family Foundation for Sustainable Clarkdale, Grant #2012-1205 was approved. As part of the grant funding, two separate sub-grantees for the Water Resource Management Program were funded: Laurel Lacher of Lacher Hydrological Consulting and the Water Resources Research Center.

On January 22<sup>nd</sup> and 23<sup>rd</sup> of this year, working team meetings were held to plan the initial phase of the project. At that time, a slight scope of work expansion to include a public outreach and education component was recommended by the team to be added to Laurel's work plan. As presently configured, the total revised estimate for Laurel's work is \$149,025 of which \$137,715 is to be funded through the grant funds. The remaining additional \$12,000 due to our request for public education and outreach will be funded through the Town of Clarkdale's Water Conservation Fund account with Council's approval.

The Revised Scope of Work to reflect the public education and outreach component, the contract between the Town and this firm plus the curriculum vitae of Laurel Lacher are attached.

Community Development/Economic Director Filardo gave the Council a brief synopsis of Laurel Lacher's qualifications and project background.

Mayor Von Gausig noted the importance of gathering information from neighboring municipalities and areas to understand the impact of water flowing into and out of the area. Filardo noted that Laurel Lacher would be consulting with other adjacent communities to determine the area water flow. The Mayor further noted that part of her scope of work includes public outreach which is an added bonus for us as she can bridge the gap between being a scientist and having ability to explain to the layperson the value of the model.

Town Manager Mabery stated she has notified Cottonwood of Lacher's participation in this project. We're hoping to have access to all data to make the best model we can. It would be most beneficial to work with partners and water providers in area. Filardo confirmed that this is a 17-month contract. The data will be developed over the next year and a half, refining the data. Councilmember Radoccia asked who the water resource management team is in Clarkdale and Filardo stated the team consisted of the Mayor, Town Manager Mabery, Utilities/Public Works Director Debrosky, Community Development/Economic Director Filardo, Senior Planner Escobar, and Ellen Yates from the Utilities Department. They are also working with the Water Resources Research Center from the University of Arizona, who is providing two consultants.

Councilmember Regner asked how the council will be kept informed and Community Development/Economic Director Filardo responded that every six months there is a reporting cycle to the Walton Family Foundation and that can go to the council first, but any way the council would like.

Mayor Von Gausig suggested we put this topic on the agenda every couple of months to have a full report by the committee.

Councilmember Regner asked Community Development/Economic Director Filardo to explain the justification of the \$12,000 coming from the Clarkdale water conservation fund. Town Manager Mabery stated that there was a price for the contract going into negotiations and after meeting with Lacher the scope of the project changed course based on her public outreach abilities. To do the project well we need to have a thorough public education process at the outset and there were not enough funds from the grant to do that. We do have water conservation funds that we collect that we proposed to use for this public outreach and education.

**Councilmember Regner moved to approve the contract for services with Lacher Hydrological Consulting. Councilmember Radoccia seconded the motion. The motion was approved unanimously.**

## **NEW BUSINESS**

**ARIZONA WATER/WASTEWATER AGENCY RESPONSE NETWORK (AZWARN) PRESENTATION AND WORKSESSION** – A presentation by AZWARN representatives with a worksession to discuss the possible benefits of membership for the Town of Clarkdale.

AZWARN is a statewide mutual assistance program between water and wastewater utilities. AZWARN is a volunteer based network which allows utilities to help one another in time of emergency when the resources are overwhelmed. The foundation of the network is a mutual aid agreement between participating utilities.

Utilities Director Debrosky introduced Jean Voelkel, AZWARN Outreach who presented information regarding AZWARN, utility mutual aid. Arizona Water/Wastewater Agency Response Network is a utility-to-utility mutual aid agreement. There are currently about 18 participating utilities and 70% of utility users are represented. Emergency management is fundamental to the program. Assistance is voluntary and there is no cost. There is a voluntary donation that usually the larger municipalities contribute to.

Vice Mayor Dehnert asked what happens if the municipality is unable to repay within the 45 day requirement? Voelkel stated that the procedure is the dispute goes into a mediation process. Goes under FEMA rate schedules which are usually below the market value. Vice Mayor Dehnert asked if the reimbursement could be covered by emergency funds and Voelkel stated that if a statewide declaration is made the reimbursement would go through the requesting agency.

Councilmember Regner asked how people within this system network? Voelkel stated that there are two meetings a year, one is in person and one is through the Web. The meetings are shifted around the state so everyone has an opportunity to connect. The agency tries to keep travel expenses at a minimum.

Town Manager Mabery stated that Clarkdale is probably the smallest community on the list at this point and noted that the small systems are valuable to have in place because the smaller systems are less cumbersome to work with. Although the AZWARN has not been activated on a statewide emergency yet, it gets used most often from community to community. This is a benefit on local scale and Town Manager Mabery and Utilities Director Debrosky will try to get other neighboring communities on board with this agreement.

Voelkel stated that currently there are no private company members although there have been invitations extended.

Members can access the website and determine what types of equipment/assistance can be requested from different utilities. The site also advises of the different methods of requesting assistance.

Mayor Von Gausig asked if there is any formalized process of requesting equipment other than listing what types of equipment on the web available for borrowing. Voelkel stated that there is a resource typing manual which is used to let people know what is available. Town Manager Mabery stated that resource typing is standardized across the nation.

This item was scheduled as a worksession only.

**A PRESENTATION REGARDING VERDE VALLEY CAREGIVERS COALITION (VVCC)** – A presentation by Kent Ellsworth, Director, regarding the services provided by VVCC.

Verde Valley Caregivers was originally organized in 1992 as the Verde Valley Caregivers Coalition (VVCC) by representatives of local churches, hospitals, and community organizations and agencies, with the specific purpose of organizing volunteers to provide homebound and handicapped individuals with services that would increase their independence and allow them to stay in their homes.

The initial goal of VVCC was to initiate a Volunteer Caregivers Program within the Verde Valley. In 1993, services started in Sedona and the Village of Oak Creek. All other Verde Valley communities were added later.

Kent Ellsworth presented history and current information on the organization. "Community Tapestry of Caring". Currently serve nearly 2000 individuals and have about 300 volunteers. January 2013 provided over 1000 services to individuals.

Mayor Von Gausig asked where the funding comes from and Ellsworth informed the council that funding is received from private foundations, individual donations and contract grants. Verde Valley Medical Center and local foundations are among the largest sources of funds in addition to bequests.

Councilmember Bohall asked if the volunteers use private vehicles and Ellsworth stated that they do. Verde Valley Caregivers training includes fingerprinting and background checks on potential volunteers.

Town Manager Mabery stated that there is a lot of overlapping things between his organization and CATS. The Caregivers change the ways they operate out of necessity to make them more efficient.

Councilmember Radoccia asked where the base office is located and Ellsworth stated they are in Uptown Sedona. Ellsworth further stated that as of August they have 6 full time employees. Call center operators come from a variety of backgrounds. Alliance of Information and Referral Systems standards are utilized for training purposes and they have a nurse practitioner and an RN on staff.

Councilmember Regner asked in what ways they coordinate with the Verde Valley Senior Center. Ellsworth stated that there is some collaboration with senior centers in the Verde Valley – mainly giving people rides to those centers for lunches. The organization would like municipalities to help fund the voucher program. In three years a full-fledged voucher program would cost about \$150,000.

Vice Mayor Dehnert noted that the Town supports CATS financially and asked if the Caregivers are finding that CATS is of help to their population or is it just not working for these people? Ellsworth stated that CATS does help however it is limited in the services it provides. The organization really needs specialized transportation for door to door/standby assistance, help with groceries, etc.

Presentation only, no action necessary.

#### **ART IN PUBLIC PLACES ART MURAL - Discussion and consideration of Art in Public Places Art Mural.**

The Clark Memorial Library implemented the Art in Public Places program in early 2011 with launching the first exhibit in June 2011. “Art in Public Places” is a nationally recognized cultural arts concept that allows for art to be exhibited in a public space including publicly accessible buildings. This program brings visual arts and the community together by providing continuing exhibits of local and area artwork. It adds the dimension of artistic appreciation for all age groups visiting or participating in library activities. It fosters an ongoing commitment to arts and culture in the community, allows for partnerships and the investment of the arts into local arts and cultural education, reflects the town’s demographics, provides a visually welcoming platform for seasonal and out-of-town guests, and expands Clarkdale’s reputation as an arts and cultural destination.

After Art in Public Places began, staff along with the Art in Public Places (APP) Committee began discussing ideas of how to expand the program along with commemorating Clarkdale’s Centennial. This discussion led to the idea of a community mural. The sign located in front of the Town Hall Administration/Library had been vacant with no plans for use of signage so the blank canvas established a location for this proposed project. In February 2012, the APP Committee arranged a meeting with local Artist Joan Bourque who has spearheaded many community murals throughout the Verde Valley. After meeting and details were received, staff discussed this project more in depth and several challenges arose with the timeline we were working with along with the grant deadlines fast approaching. Since the project would be done on public property we were dealing with a more lengthy public process than what had been anticipated. In addition, Council’s approval was needed prior to submitting any grant application

as well as their approval of the mural. It was determined that staff and the APP Committee would need to continue discussions on how to move forward on the idea but with the intent that it would be done at a later date.

The Art in Public Places Committee has brought forward a proposal to install a mural on the original proposed location – the vacant sign located in front of the Town Hall Administration/Library building. Their proposal and photographs of a mock-up are attached. Staff met with the APP Committee on December 12<sup>th</sup> to discuss the proposed project. During the meeting additional information was offered:

#### History/Background –

Investigating further into the history of the tiles, the committee learned that they are a product made as part of the Made in Clarkdale Kids Program from sometime in the 1990's. About 20 students from Clarkdale-Jerome Elementary School went to the studio of Dan Wright, Art Instructor, to learn about clay. They made clay from scratch learning about its cohesion, how it takes color, how to build it up into three-dimensional surfaces, how it is dried, fired, etc. The completed tiles were intended to be displayed in a visible space. They were donated to the Town of Clarkdale at that time and stored by the Clarkdale Chamber of Commerce. Some were applied by the Clarkdale Chamber of Commerce members to the ramp leading into the Caboose. Others were boxed and stored for an appropriate project.

#### Installation –

The installation will be performed by volunteers whom will work with the Public Works Department to ensure that methods and materials used meet the Town's approval.

A temporary framework to hold the bottom row in place will be constructed without damage to the base of the concrete sign. Starting with the bottom row center, each tile is coated on the back with a special exterior tile adhesive as is the background to which it is adhered. Each tile is then pushed in place until it has bonded. Once the bottom row is complete it needs to set and dry. Then the top row is added in the same manner. Once set, a colored exterior grout is used to fill in around the tiles to seal them.

Everything is left to dry into a permanent position. It is possible that a translucent coating may need to be applied to the finished product to protect it from vandalism as determined by the Public Works Department.

Upon completion of the mural, a descriptive plaque or brick/stone walkway could be installed. Several options are being considered. If more of the story were told it could be done in text along with a photograph of the finished mural, framed and installed in the Lobby of the library.

#### Cost -

The APP Committee has received pledges from various community members to cover the expenses associated with the installation. As noted previously, the labor will be performed by volunteers. Anticipated costs are limited to the maintenance of the mural and any unforeseen circumstance such as vandalism.

On January 3, 2013, the Library Advisory Board approved the project and recommended the item be brought before Council for consideration and approval.

Community Services/Human Resources Director Janet Perry introduced John Erickson who represented the committee and provided detail about the project. Erickson presented tiles made by Clarkdale schoolchildren that have been stored since the 1990s that will be installed in front of the library. They are asking for the council's approval for the mural. The tiles are currently laid out on the floor of the old market in town.

Councilmember Radoccia asked if there will be any recognition i.e., "made by..." and Erickson stated that there will be an informational plaque inside the library. Town Manager Mabery stated that it would be nice to have a plaque outside by the mural.

Vice Mayor Dehnert asked if there was any maintenance involved with this mural. Erickson stated that there would not be any major maintenance involved, mainly cleaning and sealing that would be refreshed every four or five years. Dehnert asked if anyone technically owns these tiles and Erickson stated that the tiles were donated by the chamber who had been storing them.

Councilmember Radoccia recommended using aluminum angle iron and screw to concrete to make almost invisible but make whole thing look very finished.

**Vice Mayor Dehnert moved to approve the Art in Public Places Art Mural.**  
**Councilmember Bohall seconded the motion. The motion was approved unanimously.**

**RESIDENTIAL TRASH SERVICE AGREEMENT** – Discussion and consideration of entering into a Residential Trash Service Agreement between the Town of Clarkdale and Patriot Disposal, Inc. to provide residential trash collection to the residents of the Town of Clarkdale.

Patriot Disposal currently is under an agreement with the Town of Clarkdale to provide residential collection and disposal services within the Town of Clarkdale. That service agreement was approved by Council in February 2007 for a period of three (3) years, and in February 2010 the Town exercised a one-time option in the service agreement to renew the service agreement for an additional three (3) year period. This current renewal period will expire at the end of February 2013.

Advertisements for the Invitation for Bids were posted in the Verde Independent on November 30, 2012 and December 1, 2012. A pre-bid meeting was held on December 5, 2012 and the bid opening was held on December 12, 2012. Three qualifying bids were received by the December 12, 2012 deadline. The qualifying bids were received from Waste Management, Taylor Waste Inc., and Patriot Disposal Inc.

A Selection Committee consisting of Councilman Richard Dehnert, Ellen Yates, Linda Lombardo, and Wayne Debrosky individually reviewed the bid packets and met on January 7, 2013 to discuss the bid packets and the Selection Committee made a recommendation to Council to continue using Patriot Disposal, Inc. for the Town's residential trash collection services.

Under the Patriot Disposal proposal the cost for 60 gallon trash container would be \$9.50 per month, and the 90 gallon trash container would be \$10.50 per month. Patriot Disposal's new pricing represents a \$0.50 or 5% increase for each of these items over their 2007 Service Agreement pricing schedule. Patriot Disposal has no charge for recyclables and will be picking up recyclables on a weekly basis. This is a \$2.00 per resident per month savings over their 2007 contract pricing for recycling services. Under the Patriot Disposal single-container recycling

program Patriot will collect recyclable materials from 100% of the Town's residential trash customers on a weekly basis. The Selection Committee had considered pricing, the types of recycling programs offered by each firm, and which program had the best potential to remove the largest percentage of recyclables from the Town's waste stream. In addition, the Selection Committee considered the additional wear and tear on our roadways and alleys caused by separate trucks collecting residential trash and recyclables. A single-container system, which collects both trash and recyclables at the same time, reduces impacts to our roads and alleys, and saves fuel reducing our carbon footprint for providing this service.

Under Patriot Disposal's proposed pricing to the Town the Council has the option of directing staff to review our current charges to residents for these services, and to make recommendations to Council on whether our charges to residents for these services should remain the same, increase, or decrease.

Utilities/Public Works Director Debrosky presented information on this agenda item. A couple of conditions were put into the new contract including a more stringent requirement for monthly reporting.

Councilmember Radoccia asked where the 15% recycling figure came from. Debrosky stated that when the RFPs went out the selection committee requested additional information 1) how the applicants' recycling program would fit with Clarkdale's sustainability goals, and 2) requested details of their recycling programs and what their projected recycling percentages were.

**Vice Mayor Dehnert moved for approval of the Service Agreement between the Town of Clarkdale and Patriot Disposal with a one-time three (3) year renewal option. Councilmember Regner seconded the motion. The motion was approved unanimously.**

**WORKSESSION ON TRASH SERVICE FEES** – Worksession to review and discuss possible changes to the fees for trash collection services from the Town of Clarkdale.

The Town's existing trash contract, which was in effect from February 2007-February 2013, allowed the town to hold trash/recycling rates constant over the past six years. With the expiration of that contract at the end of this month, the Town of Clarkdale sought proposals from municipal solid waste collection providers in late-2012. At the February 12, 2013 the Town Council accepted a bid from Patriot Disposal, Inc. to provide residential trash and recycling services in Clarkdale, and directed the staff to present recommendations on necessary changes to the fees that the Town charges its residential trash service customers as a result of the new contract.

Although Patriot's approved proposal makes some changes to the structure of our service, the pricing included in their proposal results in the need for only minimal changes to customer fees.

As Council is aware, Patriot Disposal began operating the Freedom Recycle Center in Prescott Valley in early 2012. As a result, Patriot sorts recyclable materials directly from the municipal solid waste stream, which eliminates the need for customers to pre-sort recyclables. As such, separate recycling containers are no longer necessary. Under our old contract, Patriot charged the Town of Clarkdale \$2 per month for each recycling container. The new pricing structure from Patriot has no fee for a separate recycling container (as there is no longer a need for

recycling containers), but does charge \$3 extra per month for each additional container that a customer wants. As a result, if customers who currently have both a residential garbage container and a second, full-sized recycling container want to keep both those containers, there will be a nominal increase in their rates. Customers who only have a single container will actually see a slight decrease in rates.

After a review of the revenues and expenses in the trash/recycling enterprise fund, staff has developed the following recommendation for council’s consideration:

|  | Current Fees | Recommended New Fees |
|--|--------------|----------------------|
| One Small Container (64 gallons)       | \$16.25      | \$15.75              |
| One Large Container (94 gallons)       | \$18.75      | \$18.25              |
| Two Small Containers (64 gallons each) | \$16.25      | \$16.75              |
| Two Large Containers (94 gallons each) | \$18.75      | \$19.25              |
| Each Addt’l After 2 Containers         | \$11.50      | \$11.50              |

Please note, under this proposed recommendation, trash service customers who currently have recycling containers would be allowed to keep their “recycling” containers as their second container under the fee structure, resulting in a fee for two containers. If they choose to give up their second container, they would convert to the single container fee structure.

For your information, most customers in Clarkdale currently have two containers (one trash and one recycling) and thus would see a slight increase in their rates if the staff recommended rates are adopted. The customer base statistics are as follows:

| Container Size/Amount                            | # of Customers |
|--|----------------|
| 2 Large Containers (one trash and one recycling) | 696            |
| 2 Small Containers (one trash and one recycling) | 500            |
| 1 Large Container (trash only)                   | 58             |
| 1 Small Container (trash only)                   | 41             |
| 3 Large Containers (two trash and one recycling) | 18             |

In order to comply with the notice requirements for rate adjustments, and to allow for ample time to educate our customers about the changes in fee structure and their options, staff would like direction from the Council tonight on whether to move forward with the rate adjustment outlined above.

With direction from Council, staff would begin the required 60-day advertising of the proposed fee increases, and undertake customer outreach (through the Small Talk Newsletter, which is

delivered to all trash customers) in April and May. The proposed increases would then be effective June 1, 2013.

Utilities/Public Works Director Debrosky introduced information on this agenda item. Town Manager Mabery stated that customers today, in the majority have two trash containers.

Mabery stated that Patriot claimed one of the things they plan is that they do see expanding into the Verde Valley.

This item was scheduled as a worksession only. Council directed staff to begin the required 60-day advertising of the proposed fee increases, and undertake customer outreach.

**STATE LEGISLATION** – Discussion and possible action relating to legislation being considered by the Arizona legislature that may impact the Town of Clarkdale.

The League of Arizona Cities and Towns reviews drafted legislation prior to introduction to the Arizona legislature and monitors discussions and amendments throughout the legislative process.

Each week the League has phone conferences with various groups such as the Mayors & Managers, Financial departments, and Clerk departments. The pros and cons of pending legislation are discussed during the League's phone conferences with the various groups. Quite often, the League will ask municipalities to contact their legislators in order to let them know the impact legislation being considered will have on their municipality. The majority of these requests are last minute attempts to change legislative outcomes.

Regional Boards and Commissions may also call upon the Town to contact their legislators regarding pending legislation.

Under this portion of the agenda, Council will be able to discuss and take any action necessary to inform the legislature how pending legislation may impact the Town of Clarkdale, or report on those actions taken.

Town Manager Mabery presented information on some of the pending bills important to Clarkdale that are in State Legislature currently:

- **HB 2657** – changes to Transaction Privilege Tax (TPT); there is widespread agreement that simplification of the TPT process. There are ten ratifications and the Town is on board with seven of them. League recommendations on how the current legislation could be amended to address the city and town concerns. The issues are 1) single point of remittance – one online reporting portal for businesses; and 2) single audit; and 3) construction sales tax
- **HB 2594** – local transportation assistance fund (LTAP) – restores LTAP monies we used to offset our transit funds
- **HB 2527** – elections bill, deals with terms of offices and allows cities and towns to determine shortening or lengthening of terms.

A few other bills that are being watched by the League of Cities and Towns:

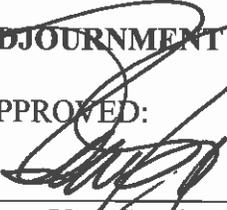
- **SB 1470** – dedicated property tax (allows cities and towns to initiate a property tax to provide for police, fire, emergency services) – League supports this bill
- **HB 2279** – complete prohibition of photo radar – League opposes this bill
- **HB 2554** – firearms regulation bill – no impact on Clarkdale currently – if the Town decided to forbid firearms in public buildings, provision of firearms lockers is necessary – the League has no position on this bill
- **SB 1321** – declares residential energy efficiency a statewide concern; sets a standard of 75 or lower to be compliant with the statewide standard – League opposes

Another bill of note is **HB 2338** – regional water augmentation authorities – held in committee; objected to by ranchers and is likely not going anywhere.

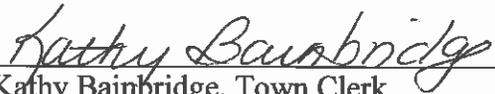
**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda.

**ADJOURNMENT** – without objection, the Mayor adjourned the meeting at 4:57 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 26<sup>th</sup> day of February, 2013. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 18 day of March, 2013.

SEAL

  
\_\_\_\_\_  
Kathy Bainbridge, Town Clerk