

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, May 14, 2013**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, May 14, 2013, 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.

It was noted for the record that Vice Mayor Dehnert was not in attendance at this meeting.

Town Council:

Mayor Doug Von Gausig

Councilmember Bill Regner

Vice Mayor Richard Dehnert

Councilmember Curtiss Bohall

Councilmember Rennie Radoccia

Town Staff:

Town Manager Gayle Mabery

Town Clerk/Financial Director Kathy Bainbridge

Community Development/Economic Director Jodie Filardo

Utilities/Public Works Director Wayne Debrosky

Police Chief Randy Taylor

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.

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 –

April 10, 2013 – Attended Clarkdale Sustainability Project work group meeting

April 11, 2013 – Verde River Basin Partnership release of USGS water budget study; indicated effect of human consumption of water in the Verde Valley on the Verde River; more of an impact above Clarkdale than below at this point however large withdrawals from the Big Chino have not yet taken place so we can expect higher impact once

those occur.

- April 12, 2013 – Participated in mayors' panel at the Arizona Forward Stewardship Summit
- April 13, 2013 – Attended International Trails Symposium – put on by American Trails
- April 14, 2013 – Attended International Trails Symposium; attended Water Trails caucus
- April 15, 2013 – Attended Water Trails meeting;
Attended International Trails Symposium;
Met with Morgan Snyder from the Walton Family Foundation and policy subcommittee
- April 16, 2013 – Attended International Trails Symposium;
Met with Steve Walker regarding Yavapai County
Attended Water Trails meeting
- April 17, 2013 – Attended Verde Valley Mayors/Managers meeting about Hwy. 260
- April 22, 2013 – Attended Clarkdale Volunteer Appreciation dinner
- April 23, 2013 – Attended policy workgroup meeting;
Participated in Cottonwood Water Management Study conference call
- April 24, 2013 – Call from Morgan on various issues;
Participated in Water committee conference call with Maggie Gallogly discussed a study that would look at the true cost of water in Arizona
- April 25, 2013 – Attended Tavasci Marsh Field Trip – Verde Valley Birding and Nature Festival;
Gave bird talk at VVBNF; helped man a booth and gave information on the Blue Trails project
- April 26, 2013 – Attended Tavasci Marsh Field Trip – VVBNF;
Led Verde River Familiarization Float Trip – TapcoRAP to TuziRAP
- April 30, 2013 – Participated in AZ League officers' meeting conference call to discuss TPT;
Went to lunch with CWMS team;
Attended first Middle Verde WAC meeting – this group decided to be a policy group but would also work with NGOs already operating in the Verde on policy in order to affect this mission;
Attended public meeting – CWMS
- May 2, 2013 – Attended Regional Trails Group meeting
- May 3, 2013 – Moderated discussion at Flinn-Brown regarding Safford water and specifically about water crisis they are experiencing

May 4, 2013 – Attended Flinn Scholars reception dinner

May 6, 2013 – Participated in Flinn-Brown Mayors' teleconference – Ted Simon from Horizon interviewed Mayor Von Gausig and Diane Joens and other state mayors about several topics

May 7, 2013 – Attended Arizona Forward Water Committee meeting (subject was 'The True Cost of Water');
Attended WebEx meeting of policy workgroup;
Attended meeting with Selna-Mongini Investments;
Attended Public Safety Personnel Retirement Board meeting

May 9, 2013 – Went on paddle trip with Max Licher, Arizona native plant expert – catalogued plants from TapcoRAP to Tuzigoot and found orchid and other unusual plants

May 10, 2013 – Attended executive committee meeting at the AZ League office

May 13, 2013 – Participated in legislative update call at the League

Councilmember Bohall's Report –

April 22, 2013 – Attended Volunteer Appreciation event in the Town Clubhouse

April 25, 2013 – Consultation of rural elected officials followed by ADOT meeting

May 10, 2013 – Attended Lower Clarkdale Block Party sponsored by Clarkdale Police Department

Councilmember Regner's Report –

April 11, 2013 – attended Verde River Basin Partnership meeting with Mayor

April 25, 2013 – assisted with the Blue Trails booth at the Birding Festival

Councilmember Radoccia's Report –

April 25, 2013 – attended Plant-A-Vine at the Yavapai College and planted grapevines
Approximately 1200 vines were planted;
Gave presentation to Birding group

Week of May 5th - Tour of the WWTP and the trail system down below the treatment plant;
Attended USGS presentation in Camp Verde

Town Manager's Report

- Clarkdale-Jerome School is having School Safety Night at 6 p.m. on May 15th

- May 23rd is the quarterly intergovernmental meeting hosted by Clarkdale – Mayor Von Gausig to chair
- Town offices will be closed May 27th for Memorial Day
- Concerts in the Park – season will open June 1st with Livas-Martinez; June 15th – Sentimental Journey; June 29th – The Trotters – traditional Irish band; will continue through September
- Hwy 260 – attended a couple of meetings – Mabery will file an official position on behalf of the Town that we will be supporting working with the region

Organizational Reports – Reports regarding regional organizations.

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

Councilmember Bohall – attended CAT meeting last week at the Clarkdale Learning Center on the Yavapai Nation in Clarkdale: 2 – 3 new buses with schedules that will accommodate workers; discussion of what would happen if Cottonwood version of Home Rule doesn't pass and the drastic outcomes that would result.

Transportation Policy Advisory Committee (TPAC) report is in NACOG report (provided to Council in packet)

NACOG - Northern Arizona Council of Governments.

Vice Mayor Dehnert provided written report to Council – in packet.

NAMWUA - Northern Arizona Municipal Water Users Association.

Councilmember Radoccia attended meeting in Prescott Valley – highlight was tour of effluent recharge system – a recharge area could not be obtained closer to the Verde – the land was on the Agua Fria so was more convenient to the property.

VRBP – Verde River Basin Partnership.

Mayor Von Gausig attended and previously discussed – main highlight of that meeting was the USGS presentation in Camp Verde.

VVLP – Verde Valley Land Preservation.

Councilmember Radoccia attended this meeting May 13th in Cottonwood.

Highlights:

- Artists on the River – there are far reaching plans for art to go beyond the Verde Valley.
- Discussed Ray Walls' land (on the mountain) - fifteen hundred and four acres with 14 parcels or so for sale – there is interest in obtaining help in finding a conservation group. There is pressure from the owner to sell this property. Steve Estes will take control and will contact people, including Freeport and Trust for Public Lands, who may be interested in purchasing that property which is in jeopardy.

WAC - Yavapai County Water Advisory Committee. – no report

VVREO – Verde Valley Regional Economic Organization. – no report

YCL – A report from the Yavapai College Liaison.

Councilmember Regner reported new position of Director of Regional Economic Development to interface within communities the college serves.

Foundation Board has added another Verde Valley representative, Dr. Russ Balda, an American ornithologist.

Verde Valley campus enrollment is currently up over 9% from one year ago.

The Plant-A-Vine event was on May 4; 135 volunteers planted 1200 vines.

New program extending viticulture into three area high schools will begin this spring.

Verde Valley campus will have College for Kids this summer.

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 April 9, 2013 and Special Meeting April 23, 2013.
- B. Claims** - List of specific expenditures made by the Town during the previous month. April, 2013 check log and PPE dated April 6, 2013 and April 20, 2013.
- 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 April 24, 2013
Design Review Board Notice of Cancellation of meeting April 3, 2013
Planning Commission minutes of the meeting held April 16, 2013
Parks and Recreation Committee minutes of the meeting held April 10, 2013

- D. Resignation from the Library Advisory Board** – Acceptance of a letter of resignation from Paul McCleary from the Library Advisory Board.
- E. Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona Amending Resolution #1419, Setting Fees for the Town of Clarkdale, by Increasing Trash Service Fees-** Approval of Resolution #1427, a resolution increasing trash service fees in the Town Fee Schedule.
- F. Intergovernmental Agreement Amendment with the State of Arizona, acting by and through its Department of Transportation and the Town of Clarkdale regarding the Safe Routes to School Project** – Approval of the amendment to the Safe Route to School IGA extending the expenditure period.
- G. Resolution Making an Appointment to the Library Advisory Board** – Approval of Resolution #1429, amending Resolution #1409, making an appointment to the Library Advisory Board.

Councilmember Bohall pulled Item E.

Councilmember Regner moved to approve Consent Agenda items A – D and F and G as presented. Councilmember Radoccia seconded the motion. The motion was approved unanimously.

- E. Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona Amending Resolution #1419, Setting Fees for the Town of Clarkdale, by Increasing Trash Service Fees-** Approval of Resolution #1427, a resolution increasing trash service fees in the Town Fee Schedule.

Councilmember Bohall noted that there is an adjustment and correction to this item. Not all costs are increasing, some will go down.

Councilmember Bohall moved to approve consent Agenda Item E. Councilmember Regner seconded the motion and it was carried unanimously.

NEW BUSINESS:

MEMORANDUM OF UNDERSTANDING WITH ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF NORTHERN ARIZONA UNIVERSITY FOSTER GRANDPARENT PROGRAM Discussion and consideration of a Memorandum of Understanding with Arizona Board of Regents for and on behalf of Northern Arizona University Foster Grandparent Program.

In 2008, the Town of Clarkdale was impacted by the nation's unprecedented recession on the Town's budget. This led to many changes in Town staffing along with the operations of services provided to the community. It was determined that in order for the Town to continue existing programs and events or to offer future programs or events, those operations would have to rely solely on volunteers. This has been

a challenge when considering new programs. It is difficult to consider a program not knowing if a volunteer with the knowledge and skills will become available to coordinate and operate the program, much less be able to provide the reliable, ongoing staffing required for scheduled programming.

Another challenge faced is that the Town has not been able to allocate funds within the budget to conduct background and fingerprint checks for volunteers who will work directly with children. In order to accommodate this need, we require volunteers assigned to children programs have current and valid fingerprint cards acquired prior to their tenure with the Town.

The Community Services Department continuously advertises and seeks out volunteers. As applications are received candidates are considered for and assigned to the areas of interests selected. Programs added to the library prompted by volunteer applications have resulted in Story Time, Art in Public Places, Clarkdale Stories and Exploring Clarkdale (the last two of which are now cancelled due to the resignation of the volunteers).

The Civic Service Institute (CSI) at Northern Arizona University mobilizes generations to strengthen communities through service and volunteerism. The Civic Service Institute provides the largest, most diverse and effective pool of volunteers to meet the needs of communities and neighborhoods throughout Arizona. Volunteer programs administered by the CSI include: Senior Companion, Foster Grandparent Program (FGP), Retired Senior Volunteer Program (RSVP), Project GIVE, Professional Development and AmeriCorps.

Shana Smith is the NAU Program Coordinator for the Verde Valley area, and staff has been in discussions with her regarding opportunities for the Town of Clarkdale to partner with CSI and be identified as a Volunteer Station. Through this partnership, CSI would provide volunteers to the Town of Clarkdale. We feel that two of the programs offered, FGP and RSVP, would be a great fit for the Clark Memorial Library community. This agenda item is specific to the Memorandum of Understanding (MOU) required to initiate the FGP. The following agenda item is specific to the MOU required to initiate the RSVP.

The FGP was created to help low income individuals age 55 and over remain physically and mentally active in their communities by becoming mentors, tutors and/or caring adults to children and youth. The requirements to become a Foster Grandparent are: candidates must be 55 years of age or older, have the desire to serve children, meet income guidelines as established by the federal government and can serve a minimum of 15 hours to a maximum of 40 hours weekly. The benefits received in return for their service is they receive a tax-free stipend of \$2.65 per hour, mileage reimbursement, secondary insurance coverage while volunteering, 40 hours of pre-service orientation and 4 hours of in-service training monthly, an annual physical, vacation and sick leave, and recognition for volunteerism with youth. Foster Grandparents have been assigned to work in school classrooms, public libraries and other youth facilities.

In addition, through the application process of the Foster Grandparent Program, candidates are required to undergo a background and fingerprint check, the cost of which is taken care of by the program.

Under the Memorandums of Understanding, the Town's main obligations are to have a designated staff member to serve as the liaison/station coordinator for the volunteer program, provide daily supervision of the FGP volunteer in their assigned activities, provide site-specific orientation and training, and

ensure proper tracking and reporting of volunteer hours served. Staff is able and prepared to carry out these obligations which we consider to be minimal, while the benefits to the community are plentiful.

Community Services Supervisor Dawn Norman presented information on this agenda item. This item was approved by the Library Advisory Board for presentation to Council on May 1st.

Shana Smith, Program Coordinator from NAU for Foster Grandparent Program, introduced herself to Council and asked for questions.

Councilmember Regner moved to approve the Memorandum of Understanding with Arizona Board of Regents for and on behalf of Northern Arizona University Foster Grandparent Program. Councilmember Bohall seconded the motion. The motion was approved unanimously.

MEMORANDUM OF UNDERSTANDING WITH CIVIC SERVICE INSTITUTE AT NORTHERN ARIZONA UNIVERSITY RETIRED AND SENIOR VOLUNTEER PROGRAM – Discussion and consideration of a Memorandum of Understanding with Civic Service Institute at Northern Arizona University Retired and Senior Volunteer Program.

As stated in the preceding agenda item, this Memorandum of Understanding (MOU) is proposed to provide new programming to the community with minimal maintenance and oversight by staff.

The Retired Senior Volunteer Program (RSVP) is a nationwide volunteer program, inviting adults age 55 and over to utilize their life experience and skills to help their community. Giving anywhere from four to 40 hours per week, RSVP volunteers help in many ways: assist children struggling in school with classroom activities, tutor adults to help prepare for their GED or to learn English as a second language, teaching skills to adults to gain employment and much more. Benefits for RSVP volunteers are secondary automobile liability insurance, supplemental accident and personal liability insurance and optional mileage reimbursement.

In addition, through the application process of RSVP, candidates are required to undergo a background and fingerprint check, the cost of which is taken care of by the program.

Under the Memorandums of Understanding, the Town's main obligations are to have a designated staff member to serve as the liaison/station coordinator for the volunteer program, provide daily supervision of the RSVP volunteer in their assigned activities, provide site-specific orientation and training, and ensure proper tracking and reporting of volunteer hours served. Staff is able and prepared to carry out these obligations which we consider to be minimal, while the benefits to the community are plentiful.

Community Services Supervisor Dawn Norman presented information on this agenda item. Shana Smith, Program Coordinator from NAU of the RSVP Program was available for questions from Council.

The Foster Grandparent Program and Retired Senior Volunteer Program Memoranda of Understanding are separate because they are separate programs with separate criteria.

Councilmember Bohall moved to approve the Memorandum of Understanding with Civic Service Institute at Northern Arizona University Retired and Senior Volunteer Program. Councilmember Regner seconded the motion. The motion was approved unanimously.

TWIN 5S WATER MAIN REPLACEMENT PROJECT CHANGE ORDER #1 FOR THE COYOTE HILL WATER MAIN EXTENSION – Discussion and possible action regarding the Project Cost Proposal from Felix Construction and direction by the Council for the Utilities Department to issue the Notice To Proceed for Change Order #1, for the Coyote Hill Water Main Extension.

The original scope of the Twin 5s Water Main Replacement Project water system improvements included replacing approximately 10,000 feet of aging waterlines located in the Town of Clarkdale with new 12-inch and 8-inch C-900 PVC water mains, installing new fire hydrants, and providing new customer service connections from the new mains to the customer's water meters. The new 12-inch water main is designed to be tied into the existing 12-inch main located on Black Hills Drive on the south end and the existing 12-inch cast iron water main at Deception Wash at the northern end. These system improvements will reduce service outages, reduce water loss through system leaks, and improve fire protection for system service areas along Minerich Road and the north end of Old Jerome Highway.

July 12, 2011 the Town Council assigned the design of the Twin 5s Water Main Replacement Project to Shepard Wesnitzer, Inc. (SWI) under the Town's Engineering/Architectural Services JOC. On October 11, 2011 Council approved the design proposal by SWI and directed SWI to proceed with the design of the project.

On March 15, 2012 the Town Council approved a Cooperative Purchasing Agreement between the Town of Clarkdale and Felix Construction Company as an addendum to the JOC between the City of Peoria and Felix Construction Company. The Town and the Contractor entered into this Agreement for the purpose of acknowledging a cooperative contractual relationship under the Peoria Contract, establishing the terms and conditions by which the Contractor may provide the Town with job order construction contracting materials and services as set forth in the Agreement, and setting the maximum aggregate amount to be expended pursuant to this Agreement related to the Materials and Services. This Purchasing Agreement was reviewed and approved by the Town Attorney.

In December 2012, under the Peoria JOC, Felix Construction submitted a scope of work, bid tab, and a cost estimate of \$1,441,714.00 for the Twin 5s Water Main Replacement Project to upgrade the above referenced water mains and appurtenances. A contingency line of \$141,714.00 or 10% of the project cost brought the total costs of the original project to \$1,585,885.00.

Change Order #1 is for the installation of twelve hundred and eighty five (1285) linear feet of new eight-inch (8") water main, two (2) fire hydrants, and eight (8) new services. The new water main for Change Order #1 will run from the intersection of Moonlight Lane and Abbey Road N., along Abbey Road N. and Coyote Hill Road to the end of Coyote Hill Road. Change Order #1 for this section of water main was not included in the original scope, design, and cost proposal for the project that was previously approved by the Council. Initially we did not include Coyote Hill Road in the scope of the original Twin 5s project. As we received more information about on-going issues with private wells in this area we expanded the project to include Coyote Hill Road. We currently make bulk water deliveries to one resident on Coyote Hill Road and have been contacted by several home owners on Coyote Hill Road that have had to drill their wells deeper in the last several years.

The cost for Change Order #1 is \$206,234.90 and by adding a contingency line of \$20,000 would bring the total cost of Change Order #1 to \$226,234.90. Change Order #1 will be paid using funds remaining from the WIFA loan and from CIP monies set aside from the purchase of the water company in 2006.

Utilities Director Debrosky explained that the resident that the Town had to include in this line was previously getting water from the Town. The Town thought he was on a well. The replacement main is on Minerich and they had no service.

There has been one other occurrence since the staff report was prepared. On Tavasci Road, they had expected to go 350 feet further than we are so we received a \$27,000 credit. When applied, brings the cost of this section down to about \$175,000 for this section. The money will be coming out of capital. There is some money in that fund that is leftover from the purchase of the water company, a small amount from WIFA, and Finance Director Bainbridge had also added a \$200,000 contingency line on this.

New homeowners will pay for their connection fees and their own taps. Camp Verde Water will add additional taps that are beyond the project's scope.

Councilmember Regner stated that the cost seems high for only providing service to eight new connections. However Debrosky's explanation about the potential for new services helps elucidate the issue. Regner asked if there were any guesses as to how many new service properties will be customers. Debrosky noted that even though there are only eight services, other property owners along that line have requested information about cost of being included due to well problems, etc. These others want to extend their lines at their own cost which gives us the option of going from the south end of Shiloh back to Mountain and looping the system at some future date which is always desirable from an operational standpoint. Debrosky believes the parcel is at least a 20-acre parcel. Town Manager Mabery stated that they haven't tried to calculate based on connections, rather they are looking at meeting the obligations of the one person we are required to connect to. She stated that Debrosky just got creative in the alignment of that line so we could have potential to supply to others. The Mayor stated that this cost would have been there anyway but it wasn't built into WIFA loan. But Finance Director Bainbridge built in the \$200,000 contingency in the contract. Debrosky stated that the additional cost was not included in the engineer's design.

Mayor Von Gausig asked how this got missed and Debrosky explained that when the engineer drew up the plans they thought the homeowner on Coyote was on a well but after the plans had been submitted to the county and approval to construct had been obtained they discovered through another inventory that he was not on a well. The information was originally supplied to the engineer by the Town.

Councilmember Radoccia asked if Clarkdale typically built into the contract the contractor's percent for change orders. Debrosky stated that it was usually written that way. He stated he believed that the markup is 11%. Aggregate amount is not over 10% of total project cost.

Mayor Von Gausig and Councilmember Radoccia agreed that the markup was above the change order and the professional responsible would pay under certain terms. Mayor Von Gausig stated that there was also a time value of money and other considerations that if we didn't want to borrow money in order to do this project we wouldn't have. We should explore those issues.

Councilmember Radoccia moved for the approval of Change Order #1 submitted by Felix Construction for the Coyote Hill Water Main Extension at a cost not to exceed \$226,234.90 and for the Town Council to direct the Utilities Director to issue a Notice To Proceed to Felix Construction for Change Order #1. Councilmember Bohall seconded the motion. The motion was approved unanimously.

VALLEY VIEW SEWER MAIN EXTENSION PROJECT PROPOSAL FROM FANN ENVIRONMENTAL AND ISSUANCE OF THE NOTICE TO PROCEED – Discussion and possible action regarding entering into a contract with Fann Environmental, under a Job Order Contract (JOC) with the City of Page, to design and construct a gravity sewer main and related appurtenances along Valley View Road and Linger Lane and direction by the Council for the Utilities Department to issue a Notice To Proceed to Fann Environmental for this project.

The proposed sewer main extension will extend the gravity sewer collection system from Hummingbird Lane to Old Jerome Highway and along Linger Lane. The existing gravity sewer collection system on Hummingbird Lane was installed in 2010.

Phase 1 of the above referenced design and build project consists of the design and construction of approximately nine hundred (900) linear feet of 8” SDR gravity sewer main, three new manholes, and twelve new 4” sewer laterals along Valley View Road for a total cost of \$139,750.00.

Phase 2 of the above referenced design and build project consists of the design and construction of approximately three hundred and ten (310) linear feet of 8” SDR gravity sewer main, one new manhole, and eight new 4” sewer laterals along Linger Lane for a total cost of \$58,620.00.

This project will be paid for out of current Wastewater Development Fees we have in a dedicated fund. The Job Order Contract (JOC) has been previously reviewed and determined by the Town Attorney to be an approved procurement method in the State of Arizona.

Utilities Director Debrosky presented information on this agenda item. Realtors and prospective property owners on Valley View have contacted him regarding renewed interest in this property which has potential to hook into sewer. A new hookup permit has just been issued to a contractor on this line.

Councilmember Radoccia stated that he had received a comment from someone who lives on Valley View and questions the wisdom of spending money on Valley View when there are so many new homes there, including his own and wondered wouldn't money be better spent in another part of town to hook up other people. There are elevation issues as well as the need to install pump stations in certain areas. These concerns are costly and the expenditure of these funds for those areas would not go as far.

Radoccia noted that this citizen who contacted him is an engineer. Debrosky stated that he knew who this person is and his firm was not asked to design this project. Radoccia stated understanding that this may not be the most needed area in town that needs the hookup but because of circumstances it is the best solution. Radoccia asked if people on Valley View will have to hook up within a limited time period and Debrosky stated that the Town has an ordinance that states if you are within 300 feet of the sewer line you are required to hook up within three years.

Mayor Von Gausig asked how many would need to hook up and Debrosky stated that five houses on Valley View and about six on Linger that will need to hook up. Debrosky will be approaching Council and reviewing sewer use ordinance at future date with recommendations about possible changes.

Town Manager Mabery stated she thought there was some discussion about whether or not Linger Lane would be included in this project. Debrosky stated that was why he broke it down into phases and noted that the Council can recommend Phase I or Phase II and the amounts can be adjusted accordingly. Mabery asked if he had addressed Council on why it had been broken up and why or why not there are any issues with Linger Lane. Debrosky explained that because Linger is a short street, if you can include it as a part of a larger project and extend the line at the same time it is more economical.

Mabery asked if we had easements on Linger Lane and Debrosky stated that we do not at this time. Mabery asked if there were any concerns about not being able to get easements and Debrosky stated that one property owner had voiced that possibility.

Councilmember Regner asked if Debrosky recommend we not approve Phase II as we don't have everything in place to proceed. Mabery stated that Phase II must be contingent on having easements in place before any Notice to Proceed is issued.

Finance Director Bainbridge noted that there was a balance of about \$450,000.

Councilmember Bohall asked if you can and is there any reason to put pipe in the ground that would be used for reclaimed water in the same trench. Debrosky stated that it hasn't been a policy decision by the Town in the past but there is a separation between water and sewer for a reclaimed pipeline.

Councilmember Regner moved for the approval of entering into a contract with Fann Environmental, under a Job Order Contract (JOC) with the City of Page, to design and construct a gravity sewer main and related appurtenances along Valley View Road and Linger Lane as proposed in Phase 1 and Phase 2 contingent upon obtaining all the necessary easements, and direction by the Council for the Utilities Department to issue a Notice To Proceed to Fann Environmental for this project not to exceed \$198,370.00. Mayor Von Gausig seconded the motion. The motion was 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 CHAPTER 2 DEFINITIONS, SECTION 2-1 ADOPTING DEFINITIONS FOR AGRICULTURE RELATED USES; CHAPTER 3 ZONING DISTRICTS, SECTIONS 3-1 (A)(6), 3-2 (A)(6), 3-3 (A)(6), 3-4 (A)(7), 3-5 (A)(6), 3-6 (A)(4), 3-7 (A)(4) AND 3-8 (A)(2), ADDING PRINCIPAL USES RELATED TO AGRICULTURE AND SECTIONS 3-1 (C)(6), 3-2 (C)(5), 3-3 (C)(7), 3-4 (C)(8), 3-5 (C)(6), 3-6 (C)(4), 3-7 (C)(4) AND 3-8 (C)(6), ADDING CONDITIONAL USES RELATED TO AGRICULTURE; CHAPTER 5, CONDITIONAL USE PERMITS, SECTION 5-6 (A)(14) ADDING SPECIFIC REQUIREMENTS FOR APPLICATIONS RELATED TO AN AGRICULTURE USE AND CHAPTER 11, SECTION 9 (A)(4): PURPOSE AND APPLICABILITY OF SITE PLAN REVIEW REQUIRING APPROVAL OF AGRICULTURE RELATED FACILITIES; REPEALING CONFLICTING ORDINANCES AND PROVIDING

FOR SEVERABILITY.” - Discussion and consideration of Resolution #1428 declaring an ordinance regarding Agricultural Uses a public record.

After meetings with the Planning Commission and one worksession with Town Council, staff has finalized draft changes to the Zoning Code to promote and regulate agricultural uses.

As a summary, the proposed ordinance includes the following components:

- Non-commercial agriculture uses, including bartering of excess produce and transportation of produce off-site for sale shall be allowed in residential zoning districts.
- Allows specific agriculture related uses in residential zones with an approved conditional use permit that has gone through the public hearing process:
 - Agribusinesses-sales of agricultural products
 - Agriculture connected to a Bed and Breakfast or subdivision
 - Farmers Markets
 - Community Gardens
 - CSA disbursement
- Requires an established, occupied residential use on the same property as an agricultural use in residential zoning districts.
- The indoor sale of bulk agricultural products is added as a permitted use in the Central Business District and community gardens and farmers markets are added as a conditional use.
- In the Commercial Zoning District, indoor retail sales are added as a permitted use, and community gardens, farmers markets and agribusinesses as a conditional use.

The Conditional Use Permit process allows staff and the surrounding property owners to participate in the planning process and to address any impact to the neighbors. Staff has accumulated a large amount of material regarding sustainable agriculture. This will be made available to anyone submitting a Conditional Use Permit.

In response to input from Council, the following modifications have been made to the draft ordinance:

- Language has been added prohibiting the use of spray irrigation.
- The submittal of a water use plan has been added to the Condition Use Permit application requirements. The components of this plan are designed to direct the applicant to adopt a permaculture approach to agriculture and water use by planning around the natural occurring pattern of rainfall and recognizing the scarcity of water in the area.

Senior Planner Escobar presented information on this agenda item. Escobar summarized and incorporated the adjustments and revisions presented to Council prior to the meeting.

Councilmember Regner asked if the Conditional Use Permits are renewed annually and Escobar stated that the terms are set by the Planning Commission at the time of the permit and then reviewed annually but not renewed each year.

Regner asked what types of guidelines would be used or recommended when we suggest that permit applicants should consider a “comprehensive water use plan” and Escobar stated that there are many guidelines in existence, most out of California. California Department of Water passed several

guidelines that could be shared with people seeking the permits. Regner noted that prospective applicants might not be excluded from getting a permit even if they don't follow any of the recommendations. Escobar stated that because CUPs must go before the Council, if the Council feels the applicant is not doing a good enough job in conservation, the Council has the ability to deny the permit or table it until the applicant can come up with better solutions.

Regner asked Escobar to define spray irrigation: Spray irrigation is typically through a nozzle and is dispersed in the air. There is usually a lot of water evaporated into the air and is not efficient. It is not the best way to disperse water. Escobar noted that she is not talking about emitters.

Mayor Von Gausig opened the discussion to public comment.

Mary Ann Garvey – Clarkdale resident – her husband is interested in putting in a small vineyard and her son is in the viticulture program at Yavapai College and would like to be a part of this venture. They feel that growing locally is important. They hope the Council will approve of local residents trying their hand at agriculture. Their parcel is on Eagle Way.

Mayor Von Gausig closed public comment.

Councilmember Radoccia had questions and comments about the proposed code:

- Section 3 states 'not more than a cumulative total of ½ acre'. Is it correct that we are trying to encourage people to grow on a ½ acre or less? Escobar stated that they are trying to set a threshold. If they are growing on ½ acre or less it is a permitted use. If they are growing on more the Director should review to see if there are connected retail uses with that product. They are trying to prevent a scenario where they have an acre of land under production but they say that it is all for personal use. This is inserted as a trigger so that the department becomes involved. Radoccia stated he doesn't feel ½ acre is very much and gives a mixed message of our intention. Feels that ½ acre is a restriction that should be removed.
- The sentence also states 'distilling of wine for personal use' and is not sure what that has to do with the agricultural use. Escobar stated that they are trying to prevent someone going to the farmers' market with their homemade wine and selling. Radoccia stated that it is illegal to do that and it should be removed.
- Reference to growing vegetables for a bed and breakfast establishment: How does this become a commercial use? What would be the difference between growing the vegetables to feed to the guests and going to the store and buying the vegetables? Believes this is an overregulation.
- In Amend Section 5-6 (14)(a): Radoccia stated that residents that he has been in contacted with do not want to hook up to city water and want to drill their own well. Believes this is an unreasonable request. Councilmember Regner stated he believed there was a prior discussion about decommissioning wells if there is connection to city water. Debrosky stated that there must be a physical separation if there is a well and city water connection.

- In Amend Section 5-6 (14)(c)(iii) "Capture and reuse of all water runoff from site": Radoccia stated he believed "all" should be modified. Mabery noted that in the revision it states that the inclusion of the water conservation "should be considered" rather than "must include" but agreed that "all" could be modified.
- Amend Section 5-6 (14)(c)(iv) "Reduction of water evaporation from the soil": Radoccia stated he believed that meant mulch and doesn't believe that any vineyard uses mulch as it is impractical. Asked for clarification. Escobar noted that this was just a recommended element and not a requirement.
- Amend Section 5-6 (14)(d) "Dust control plan": Radoccia stated he was unclear as to why that was there and doesn't believe it should be in the ordinance as there is no practical solution to that issue. Mayor Von Gausig noted that it would be a difficult issue to ignore in a neighborhood. Escobar noted that there are best practices available, i.e., you don't plow when it's windy because you will lose your topsoil. The intent of building these elements into the code is to help people who are not familiar with agricultural practices but want to participate.
- Amend Section 5-6 (14)(g) "If fertilizer and soil amendments are proposed, a plan outlining sustainable use must be included": Radoccia asked if that meant organic or non-organic. Feels it needs more clarification.

Councilmember Radoccia stated that he supports this move toward permits for local growing and agricultural use but doesn't want to see it overregulated to the point that people are discouraged.

Mayor Von Gausig addressed some of the points of Radoccia's focus:

- One-half acre should be ample garden space for a household. Though people don't want restrictions, some regulation must occur for conservation purposes. It would be more restrictive to say residents can't have agricultural use for their property which is what the code currently says. The Town is trying to loosen that restriction while still having some regulation over commercial uses.
- Agribusiness for Bed and Breakfasts should require Conditional Use Permit because they do charge for the food. It is a commercial use for a business.
- Water hookup to Town system is reasonable because it conserves water. Von Gausig stated that it would not be a desirable situation to have a neighbor who had a multi-acre garden and used well water to irrigate creating a situation where the neighbor's cone of depression hit his cone of depression. Hooking up to Town water would obviate that.
- Sustainable use outline if fertilizer and soil amendments are proposed seems reasonable to Von Gausig and Radoccia stated that was not a major problem.

Councilmember Regner asked how you determine ½ acre gardens if there are fruit trees, etc. and feels you could easily exceed ½ acre with fruit trees. Mabery stated that all the ½ acre does is trigger a discussion about whether the use is for commercial or not. Regner stated more definition was needed to

potentially avert any future problems. Von Gausig asked if it wouldn't be preferable to have this kind of flexibility in allowing someone to have discretion to allow this and to discuss issues with property owners rather than to have every issue that may arise required to be in writing. Regner agreed but Radoccia felt it was problematic and would like to see what the Planning Commission says are the best practices. Von Gausig noted that this was a resolution that followed a worksession and inquired whether Radoccia wanted to return to the Commission. Radoccia stated that he was not ready to vote.

Councilmember Regner stated that he agreed with Radoccia on the dust control issue and felt it should be more clearly defined. Escobar stated that the EPA has best practices for dust control. They tend to use a lot of water and that's why they didn't use them. They are trying to come up with solutions that are more practical for our area.

Mabery stated that in a Conditional Use Permit process the first step is working with the staff; then goes to the Planning Commission and then to the Council. They are trying to give open discussion and may evolve as we learn more and leave code flexible to allow the Town and the Commission to learn what works best.

Radoccia stated that the two biggest issues in his mind: 1) the half acre and 2) is hooking up to the Town water system. He is willing to work on that this evening. Von Gausig stated that he didn't believe the issues could be resolved this evening as it is clear that he and Councilmember Bohall agree with the resolution as written and didn't think that would change.

Escobar suggested that the issue of the ½ acre may be re-worded to say that if staff observes or receives information that commercially agriculture use is on one's property they would need to get a waiver from the Director. If it's a commercial use it requires a CUP. Council agreed that would be reasonable.

Councilmember Regner asked how many inquiries we have that people will be coming forward with acre or more vineyards? Escobar stated that about 20% of available land base could be over one acre in production. Regner asked if we are going to encourage this kind of use in Clarkdale. He agrees with the position that this kind of use would not be welcome as it is contrary to the Town's sustainability goals.

Community Development Director Filardo stated that the intent is in trying to balance desire of local food production while minimizing impact to existing residents. In residential zones we want to assure that we don't have some neighbors who suddenly decide to plow their land and create a hazard for other neighbors. From a water point of view, one of the reasons they put the water tie in there is they don't want to encourage excessive water use when they are trying to reduce our per capital water consumption.

Radoccia stated that it is not excessive water use, it would be the same water use whether they are on the Town system or a well. Councilmember Bohall stated that they would be taking it out of the water table and Radoccia stated that someone would still be taking it out.

Mabery gave an example: If someone wanted to grow tomatoes they would use a lot more water than if they planted grapes. The Town probably wants people to make the economic decision to plant a low water use crop. The Town wants them to think about the choices of what they plant and the water use required.

Radoccia stated growing food on the land that you own is age old and we shouldn't put this kind of financial restriction on residents. Mayor Von Gausig asked Radoccia what people would have to pay if they hook up to the water system and grow grapes, what is the figure that is too much? Radoccia stated he didn't have a figure but to buy water from Clarkdale will be more expensive than if they drill their own well. Von Gausig stated that one acre of grapes uses an acre foot of water per year which would be \$200 per month at top tier rate. Bohall stated that if a lot of people drill a whole bunch of wells it's going to affect the Town's wells. There was some discussion about the cost of drilling a well today and Debrosky stated that people are drilling about 500 – 600 feet per well and costing about \$8000 next to the river; in foothills it is costing about \$40,000.

Councilmember Bohall moved to table discussion until the June 11, 2013 Regular Council meeting. Councilmember Radoccia seconded the motion and it was carried unanimously.

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, AMENDING CHAPTER 2 DEFINITIONS, SECTION 2-1 ADOPTING DEFINITIONS FOR AGRICULTURE RELATED USES; CHAPTER 3 ZONING DISTRICTS, SECTIONS 3-1 (A)(6), 3-2 (A)(6), 3-3 (A)(6), 3-4 (A)(7), 3-5 (A)(6), 3-6 (A)(4), 3-7 (A)(4) AND 3-8 (A)(2), ADDING PRINCIPAL USES RELATED TO AGRICULTURE AND SECTIONS 3-1 (C)(6), 3-2 (C)(5), 3-3 (C)(7), 3-4 (C)(8), 3-5 (C)(6), 3-6 (C)(4), 3-7 (C)(4) AND 3-8 (C)(6), ADDING CONDITIONAL USES RELATED TO AGRICULTURE; CHAPTER 5, CONDITIONAL USE PERMITS, SECTION 5-6 (A)(14) ADDING SPECIFIC REQUIREMENTS FOR APPLICATIONS RELATED TO AN AGRICULTURE USE AND CHAPTER 11, SECTION 9 (A)(4): PURPOSE AND APPLICABILITY OF SITE PLAN REVIEW REQUIRING APPROVAL OF AGRICULTURE RELATED FACILITIES; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #351 regarding Agricultural Uses.

This ordinance adopts the document made a public record by Resolution #1428.

Councilmember Bohall moved to table item 10 until the June 11, 2013 Regular Council meeting. Councilmember Radoccia seconded the motion. The motion was approved unanimously.

VERDE RIVER ACCESS LICENSE – Discussion and consideration of a Verde River Access License between the Town of Clarkdale and Freeport-McMoRan Corporation (FMC), providing the terms and conditions for the Town's use of property for recreational and educational Verde River access.

In May 2011, the Verde River @ Clarkdale project was set in motion, envisioning a world in which community access to a healthy, flowing Verde River exists complete with a multitude of diverse outdoor experiences.

For one year, in 2011 and 2012, a series of meetings with a variety of stakeholder informed the project's direction resulting in the adoption of the Verde River @ Clarkdale Master Plan by the Clarkdale Town Council on June 26, 2012.

The mission of this project is to provide the experiences, services, infrastructure and outreach necessary to achieve the vision. In support of this mission, the project goals are as follows:

1. Protect, preserve and restore the river and its habitat

2. Honor existing water rights
3. Enhance the public's experience with and understanding of the importance of the river and its surrounding habitat, and
4. Improve the economy of Clarkdale.

Significant progress has occurred since the adoption of the Master Plan, including:

- June, 2012 - Approval of an IGA, allowing the Town of Clarkdale and Arizona State Parks to cooperatively manage and operate the Tuzigoot RAP to develop enhanced public river access. Both the Town and the Arizona State Parks Board are working together to accomplish improvements at the site.
- August, 2012 - Approval of a Heritage Fund Grant for improvements at the Tuzi RAP site, including improved road access, handicap accessible parking spaces and installation of a handicap accessible trail that leads to a river viewing deck near the Verde River.
- December, 2012 - Received a two-year grant from the Walton Family Foundation to be used for the development of a Water Resource Management Plan for Clarkdale, and the following Verde River @ Clarkdale projects:
 1. Tuzigoot River Access Point:
 - a. Draft site design including engineering and projected costs within six months
 - b. Traffic counts at the entrances to Tuzigoot and Tapco sites within 18 months
 - c. Vetted and approved site concept for enhancements to Tuzigoot reviewed through Council and Arizona State Parks Board within 24 months
 - d. Project plan for facilities build-out at Tuzigoot within 24 months
 2. Tapco River Access Point:
 - a. Agreement between Town and private landowners for access at this location plus execution of an agreement specifying allowed uses and infrastructure within 12 months
 - b. Draft site plan including engineering and projected costs within 18 months
 - c. Vetted and approved site concepts reviewed and approved through Council and landowner within 24 months
 - d. Project plan for facilities build-out at Tapco including a fundraising plan for non-Walton funding within 24 months
 3. Brewer's Tunnel Diversion Dam:
 - a. Report summarizing options for the dam at Brewer's Tunnel within 12 months
 - b. Town stays engaged in talks with dam's owners
 - c. Agreement between Town and Freeport-McMoRan on Brewer's Dam Diversion within 24 months

For the past year, in furtherance of the Verde River @ Clarkdale Master Plan, and as anticipated in the grant we received from the Walton Family Foundation, the Town has been engaged in discussions with FMC to secure an agreement for a river access location in the Tapco area north of Clarkdale. The site that is the subject of this agreement is approximately 90 acres, with an entrance located at 3900 N. Sycamore Canyon Road, approximately 4.1 miles north of Tuzigoot Road (2.7 miles north of the Clarkdale Town Boundary). The property is generally bounded on the east by Sycamore Canyon Road and on the west by the Verde River (see attached Exhibit A-2).

The Access License before you this evening is the result of those discussions and negotiations. In brief, the agreement provides that FMC will provide the Town with a revocable, non-exclusive, not-freely transferable license over the property for use as recreational and educational Verde River access and incidental parking, picnicking, boat launching, staging and similar incidental use, which Town may open to public use as it deems appropriate.

The following primary provisions are the highlights of the agreement:

Uses of Premises – The Town may use the Premises for:

- Development of access drives, parking and trail facilities, restrooms, fencing, modest shade structures, solar energy installation, and other facilities necessary or reasonably desirable for a day-use recreational facility;
- Residences of a limited number of site hosts, who would reside in mobile units (e.g. recreational vehicles) brought to the Premises and maintained in a good condition that allows it to be removed from the Premises with short notice;
- Special Public Events or overnight camping for groups who have secured the use through a Special Event Permit;
- Town will cooperate to the extent practicable with FMC's plans to develop and implement a natural resource education component in the design and development of the Premises, with the goal of certifying the Premises through an appropriate Wildlife Habitat Council program, such as "Wildlife at Work" or "Corporate Lands for Learning."

Term of Agreement and Fees:

- An initial term of agreement of 5 years, with automatic one-year renewals thereafter unless FMC provides at least 120 notice to Clarkdale of their intent to let the agreement expire;
- The Town will pay an annual use fee of \$10 per year to FMC;
- The Town may charge fees for admission to and for use of the Premises for members of the public other than persons associated with FMC. Town will structure these fees to qualify as "nominal fees" for purposes of A.R.S. 33-1551 (the "**Arizona Recreational Use Statute**").

Improvements:

- The Town shall receive FMC's prior review and approval, of its plans for improving, signing and fencing the Premises.
- FMC gives permission to the Town to arrange for the removal of 4 existing picnic ramadas at Peck's Lake for the purpose of re-erecting said picnic ramadas on the Property.
- Town is solely responsible for arranging any necessary water, gas, heat, electricity, power, telecommunication service, sanitary service, waste removal, and all other services or utilities

used by Town with respect to the Premises, including, without limitation, the costs incurred in connecting such utilities to the nearest utility lines.

- Any improvements on the property will be removed by the Town within 60 days after the termination of the License.

Securing our right to access the property is the first step in a multi-year process to open the Tapco RAP site for regularly scheduled public access. Following the approval of this Access License, the Town can proceed with the grant funded process to draft a site plan and develop cost estimates for site development. An important component for that planning process will be to develop a funding plan for both the capital project requirements and the on-going operations and maintenance of the site.

As we move forward, we will be engaging with numerous stakeholder groups who have an interest in the opportunities this site provides. They will be an important part of our planning process for the site.

Town Manager Mabery presented information on this agenda item.

Councilmember Radoccia asked if the term could be made for a perpetual five year term. Mabery stated that they were not willing to lock into the on-going term. They have an option to cancel with 120 day notice so there is the risk that they could opt to sell this property. Radoccia asked if the utilities obligation would be permanent and Mabery stated that there are some ways to provide utilities that would not be permanent, i.e., water storage tanks, removable closed wastewater systems, and solar power.

Mayor Von Gausig stated that about half of this property is 500 year flood plain. What is flood plain is mostly just water inundation type floods and not damaging type floods.

Councilmember Radoccia asked for clarification about the need for an agreement within 24 months with regard to the Brewer Diversion dam and how real the expectation is to obtain that agreement within that time frame. Mabery stated that that is part of our funding from the Walton Foundation grant to work on that issue with Freeport. Radoccia asked if that was a realistic and Mabery stated that it hasn't yet been part of the primary focus but Freeport is willing to talk about it and Mabery is optimistic.

Councilmember Regner stated that he is proud of Clarkdale for opportunity to vote on this.

Von Gausig stated that feels it is extraordinary that a town the size of Clarkdale has such a bold vision. Creating a Blue Trail between these two access points is unprecedented in Arizona.

Councilmember Bohall asked how long the average float takes to cover that distance and Mabery responded that it was about three hours.

Councilmember Regner moved to approve the Verde River Access License between Freeport McMoRan Corporation and the Town of Clarkdale for the Tapco River Access Point (Tapco RAP). Councilmember Radoccia seconded the motion. The motion was approved unanimously.

ENTERTAINMENT DISTRICT WORKSESSION: Discussion regarding a proposed Entertainment District.

The Planning Commission first began discussing an Entertainment District in February of 2013 and conducted a public hearing regarding a proposed ordinance on April 16, 2013. The formation of an Entertainment District requires the creation of an overlay district in the Town Zoning Code.

The primary reason for adopting an Entertainment District is to provide a mechanism to permit businesses serving alcohol to locate within 300 feet from schools and churches as provided in Arizona Revised Statute (ARS) 4-207. This exemption to the distance stipulation requires Council approval on a case by case basis.

There are two churches in the Clarkdale Central Business area. The location of these churches would preclude the following locations from having businesses serving alcohol:

- 901 Main Street (Maury Herman Building)
- Caboose
- Copper Art Museum
- Larry Green property east of the Museum
- Residence at 18 N Ninth Street
- Post Office property
- Residences along First South Street
- 910 First South Street (former Alcora Marble Building)
- Laundry Mat and Storage Facilities along Ninth Street

Per state statute, a town with a population under 200,000 may designate one Entertainment District. The area of the district shall not exceed one-square mile.

Staff has included language in the proposed ordinance to require the property requesting an exemption be current on all utility payments, a current business license is on file, and there are no code enforcement issues on the property. Staff will verify these conditions are met prior to the liquor license application being placed on a Council agenda.

Economic Development

Another advantage to an Entertainment District is to create a focal area for the downtown business district and to encourage economic development in this area. This concept was discussed during the Focused Future II process and supported by the Action Team.

An Entertainment District can create a destination area. Examples of other Entertainment Districts in the state include the 'ED', the commercial area in Prescott Valley including Tim's Toyota Center, and Copper Square in downtown Phoenix, centered around the historic site of the original settlement and the ball park. If the proposed ordinance is adopted, the Clarkdale Entertainment District will be integrated into all of the Town's economic development efforts. The first step would be to name the district. Staff is proposing a contest be held to engage the public in naming the district.

The Entertainment District being proposed follows the zoning district boundary lines of the Central Business District with the inclusion of private residences along North Tenth Street and First South Street, in anticipation of the possibility these residences might convert, through a zone change, to a

commercial use in the future due to their proximity to the Central Business District. This possibility is foreshadowed in the Tejido Study completed in the 1990's.

In addition, the District is proposed to extend along Broadway and include the Zunick Garage property, Mongini Park (privately owned), Selna-Mongini Ball Park (owned by the Town), the Yellow School House and, extending north along Broadway to the west, the Miller Building and to the east, the Verde Canyon Railroad property. These properties have the potential to develop into key components of a vibrant Entertainment District. The ball park and school house properties would need to receive zone change approval prior to converting to a commercial use.

Design Standards

The proposed Entertainment District Ordinance includes design guidelines for the area to apply a consistent architectural theme for all new development within the district boundaries. These guidelines reflect the existing buildings in the Central Business District, a Planning Sub-Area per the 2012 Clarkdale General Plan. This area is rich in history and consists of several specific design elements that should be integrated into new development in the area.

Public Outreach

At a March 26, 2013 meeting with Central Business District property owners, the proposed Entertainment District was enthusiastically supported.

Staff has provided copies of the information related to the proposed Entertainment District to both churches in the area and asked for feedback. At the April 16 Planning Commission meeting, a representative of St. Thomas Episcopal Church stated the church had no issues with the proposal. At the time of this report, no feedback has been received from the Catholic Diocese regarding the proposal.

A representative of the Verde Canyon Railroad has reviewed the proposal and is supportive of the inclusion of the railroad property and excited about the formation of a district.

Although the population size of Clarkdale dictates only one Entertainment District, per state statute, there is no restriction from future adjustment to the boundaries of the District as long as the one-square mile area restriction is not exceeded.

One property owner has contacted staff to express concerns about worsening parking and noise issues if the district was approved.

Senior Planner Escobar presented information on this agenda item.

Councilmember Radoccia asked for more information on why they have included Clarkdale Metals and property beyond the train. Escobar said Clarkdale Metals has buildings that they might consider renting or leasing. These are already zoned for commercial or industrial uses. They are trying to make sure that future district makes the connections that might be possible. They have had people interested in developing lodging or restaurant and they want to make sure they are included in that district. It is an overlay district so it doesn't change the zoning of any of these properties it just makes the possible connections.

Radoccia asked why the churches' parcels are included in the overlay district and Escobar stated it was because they are connected to the central business district and it enhances the value of their property if they are part of the entertainment district if they decided to move in the future. Town Manager Mabery stated that the Town property is also included in this district.

Radoccia also asked about the residential area included in the area (Second North, 11th, 10th, and 9th); Town Manager Mabery stated that the original map did not include those residential homes but she lobbied to have them included so at some point some of these bungalow homes would have the ability to convert to a boutique type operation. Including them in that district would encourage that.

Councilmember Regner referred to the statement in the staff report that says the district shall not exceed one-square mile and asked if they have they calculated how much is there currently. Escobar stated there was just a little under a quarter of a square mile. She added because of our population size we can only have one district.

Regner then asked about the Bitter Creek wash area and the possibility of extending and moving the depot into the area. Escobar stated that it could be extended or adjusted and doesn't feel the Planning Commission would have any objection.

Councilmember Bohall stated that sometime there is going to be a road going from Clarkdale Metals that would open up the area for some sort of development. Escobar stated they could probably bring out to Cement Plant Road but those adjustments can be made at any time.

Mayor Von Gausig opened the discussion to public comment.

Drake Meinke – Clarkdale resident – went to meeting with Jodie Filardo – one of the things that was discussed was the name. One name in Clarkdale that popped up a lot was the word “treasure”. Meinke presented a list of possible names. Thinks the decision to create the district is great.

Mayor Von Gausig closed public comment.

Staff is requesting the Council provide feedback regarding the proposed Entertainment District. Upon direction from the Council, staff will schedule a second public hearing with the Planning Commission and send notification to every property owner within the proposed district, as well as property owners within 300 feet of the proposed boundary.

This wa a worksession only.

WORKSESSION REGARDING SUSTAINABILITY GUIDELINES ADOPTED BY THE PLANNING COMMISSION - Review of the Sustainability Guidelines.

In August 2012 the Planning Commission began working on a Sustainability Values document. Acting as the Sustainability Commission listed in the Sustainability Implementation Strategies objective in Chapter 13 of the 2012 Clarkdale General Plan, the Commission developed a document providing guidelines for sustainable development.

A task group consisting of two members of the Commission was formed. Working with staff and referencing existing material, such as the Green Building Code, the task group developed an outline of categories and sustainable strategies for distribution to anyone considering building projects in the Town. This was later reviewed by the entire Commission. The goal of the document is to keep the information broad and general, to allow for adaptation and creative thinking. The categories outline the areas important to consider when planning a development project. The information in each category provides specific suggestions while allowing flexibility for creative solutions.

At their March 19, 2013 meeting the Commission accepted the document as a guide to be included in building permit and development applications.

Staff would use this document in initial discussions with developers to underscore the importance placed on sustainable development. The Planning Commission and the Design Review Board may also refer to this document while reviewing specific applications.

Mayor Von Gausig commented that these are broad guidelines that set the tone for how Clarkdale sees itself. Filardo stated that the hope was not to be proscriptive.

Councilmember Regner referenced the section under Design Principles in the report and stated there was talk in the past about the accessibility between businesses. The Council has expressed in the past support for access between adjacent properties when you are off the road. Filardo noted that there is some suggested possible language and adding to the first item in that category: "...adjacent commercial properties and public facilities".

Mayor Von Gausig asked about the section under the heading Water Management: Does not think "include a graywater system" or "install a rainwater harvesting system" are very specific, do not accomplish much, and should probably not be included. Filardo said they would change "install" to "consider" and Radoccia suggested adding 'where practical'. Von Gausig stated that the problem with graywater is that it is a system that requires maintenance and for new homes putting in gray water systems is not a good idea. Radoccia stated he agreed about striking the graywater system under water management.

Radoccia referenced the section under Infrastructure, Utilities: Thought the Town required that all power lines had to be underground. Filardo stated that new development in subdivisions is required to have it underground. Filardo stated that Radoccia had the correct understanding of the code but the implementation and past practice has not followed that.

Radoccia then referred to the section Construction: Was unclear if this referred to during construction or after construction and asked for clarification. Filardo stated that it was mixed. Before construction they would like people to be thinking about design issues but waste minimization would be during construction. Radoccia felt it needed to be clarified. Item 5 discusses vegetation being removed during construction and should be mulched and returned to the site. Radoccia felt that this was a tall order. Filardo suggested saying "consider mulching vegetation removed during construction".

Radoccia then asked for clarification on #3 under Landscape Standards. Filardo stated they were hoping to suggest moving a single tree, for example, that needed to be moved for construction, but did not

necessarily indicate moving/preserving several. They would like to encourage/retain native vegetation to the best of their ability and will look at these for possible restatement.

This was a worksession only.

CLARKDALE WASTEWATER TREATMENT PLANT PRESENTATION – A presentation by the Public Works & Utilities Director updating the Town Council on the status of the Wastewater Treatment Plant (WWTP) project.

Presentation to Council regarding the updated status of the Wastewater Treatment Plant project. The Power Point presentation along with a question & answer period (Q&A) will provide a visual timeline of the installation of various key components.

Public Works Director Debrosky presented information on construction of the new Wastewater Treatment Plant.

This item was scheduled as a presentation only.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda. There were no future agenda items.

ADJOURNMENT - Without objection, Mayor Von Gausig adjourned the meeting at 9:45 P.M.

APPROVED:



Doug Von Gausig, Acting 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 14th day of May, 2013. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 13 day of June, 2013.

SEAL



Kathy Bainbridge, Town Clerk