

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, September 24, 2013**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 24, 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 3:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig  
Vice Mayor Richard Dehnert

Councilmember Reynold Radoccia  
Councilmember Curtiss Bohall  
Councilmember Bill Regner

Town Staff:

Town Manager Gayle Mabery  
Community Development/Economic Director Jodie Filardo  
Town Clerk Kathy Bainbridge  
Community Services/Human Resources Director Janet Perry  
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.

Drake Meinke, Clarkdale resident – announced opening of Copper Museum, Walking Tour of Clubhouse, Living Legacy, Heritage Dances, and Home Tour.

**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.

- C. **Resolution Making Appointments to the Design Review Board**– Approval of Resolution # 1437, amending Resolution # 1406 making appointments to the Design Review Board.
- D. **Resolution Making Appointments To The Planning Commission** – Approval of Resolution # 1438 amending Resolution # 1430 making appointments to the Planning Commission.
- E. **Resolution Making An Appointment To The Public Safety Personnel Retirement Board** – Approval of Resolution # 1439 amending Resolution # 1410, making an appointment to the Public Safety Personnel Retirement Board.

- F. Resolution Making An Appointment To The Library Advisory Board – Approval of Resolution # 1440, amending Resolution # 1429, making an appointment to the Library Advisory Board.**

Mayor pulled items A & B.

**Councilmember Regner moved to approve Consent Agenda items C – F as presented. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

- A. Reports - Approval of written Reports from Town Departments and Other Agencies**  
Building Permit Report – July and August, 2013  
Capital Improvements Report – June, July and August, 2013  
Magistrate Court Report – June and July, 2013  
Water and Wastewater Report – May, June and July, 2013  
Clarkdale Fire District Report and Mutual Aid Responses Report – July and August, 2013  
Police Department Report – July and August, 2013  
NAIPTA Transit Report – July and August, 2013

Mayor Von Gausig asked Utilities Director Debrosky to give a review of the most recent water and wastewater use reports. Debrosky stated that tracking has recently been monitored and previously unexplained leaks have been detected. Old infrastructure contributed to much of it and the old connection with the Twin 5s has been terminated. Going forward the numbers should be more in line with expectations.

Mayor Von Gausig stated that the gallons per capita per day are the lowest in the State in May indicating good conservation efforts on the part of water users.

**Councilmember Radoccia moved to approve Consent Agenda item A. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

- B. Resolution Making Appointments To The Board Of Adjustment – Approval of Resolution # 1436 amending Resolution # 1405 making appointments to the Board of Adjustment.**

The Board of Adjustment has two terms expiring September 30, 2013.

Aaron Midkiff (incumbent), Mark Schiebl, Peter deBlanc, Carl Ritchie, and Mike Garvey applied and were interviewed by the Interview Committee.

The Review Committee met, reviewed the applicants and put forward their recommendation that Aaron Midkiff and Peter deBlanc be appointed for a two year term on the Board of Adjustment.

Mayor Von Gausig and Councilmember Regner thanked all of the Boards and Commissions applicants for their willingness to support and participate in the Town activities.

**Vice Mayor Dehnert moved to approve Resolution #1436, amending Resolution #1405, making appointments to the Board of Adjustment. Councilmember Regner seconded the motion. The**

**motion was approved unanimously.**

### **NEW BUSINESS**

**MINGUS UNION HIGH SCHOOL OVERRIDE PRESENTATION** - A presentation by Mingus Union High School regarding the November 5, 2013 override ballot issue.

Dr. Paul Tighe, the new Superintendent of Mingus Union High School, will present to the Council and those in attendance a factual briefing on what the process of the override is and how those monies are used in the education of our students at Mingus.

A representative of Partners in Education, which is the political action group in support of the passage of the override, will give a presentation on the importance of voting on this issue.

The mail in ballots will be sent out to voters mid October and must be received by the county by November 5, 2013.

Dr. Paul Tighe, Mingus Union High School District Superintendent, presented information on the override. The legislature sets how much money the schools can spend per student. One of the ways that taxpayers can vote to spend more than the set amount is through an override election. The override has been in place for many years through community support. The school is asking for a continuation of that support. It is not a new tax. The override supports a lot of programs that are not included in the "basics", i.e., music, physical education, electives, athletics, class sizes, counseling, other student services, etc. Dr. Tighe encouraged everyone to vote.

Ruth Wicks, representing Partners in Education, a political action committee, stated that Clarkdale has always been very supportive of education. The last override passed by a narrow margin so Ruth encouraged the Council to reach out to friends and neighbors and ask people to vote and also encouraged people to vote in favor of the override.

**Presentation only, no action required.**

**WORKSESSION (2<sup>nd</sup>) ON ZONE CHANGE FOR VERDE VALLEY RANCH:** Discussion regarding a zone change request for an approximately 11.25-acre portion of Verde Valley Ranch, Assessor's Parcel Number 400-07-001B, to change the zoning from PAD (Planned Area Development) to C (Commercial).

This zone change application was first reviewed by Town Council on July 9, 2013. At this meeting Council directed staff to answer the following questions regarding this zone change application:

- Will it be feasible for future development on the subject property to connect to the Town's water and wastewater infrastructure?

Since this question cannot reasonably be answered until an actual development project is submitted for consideration, staff has reworded stipulation #1 to read:

1. *Development on the new, approximately 11.25 acre parcel created by Minor Land Division #090606, will be required to connect to the Town's Water and Wastewater Systems unless the Town Council waives this requirement.*

This allows Council to waive the connection requirement if it proves to be not feasible because of engineering or environmental reasons, or if Council determines the requirement is too much of a financial burden to the applicant.

Both the applicant and future property owner have agreed to this rewritten stipulation.

- Can the Council choose to approve the zone change to Commercial but limit the permitted uses?

Staff has received a legal opinion from the Town Attorney stating the Council could approve a zone change limiting permitted uses as long as the applicant voluntarily agrees to this limitation.

Staff has written confirmation from both the applicant and the future property owner agreeing to the elimination of permitted use #11: Automobile, trailer, boat, or farm implement display, sales or rentals.

Staff is asking Council to review the attached list of principal uses for the Commercial District and determine if, with the elimination of #11, Council is now comfortable with considering this zone change request.

- Would the applicant consider rezoning to Neighborhood Commercial, which permits less intensive commercial uses?

Neither the applicant nor future property owner is comfortable with this alternative. The major objection is the limitation of a hotel to two stories in height in the Neighborhood Commercial Zoning District. The Commercial Zoning District allows a maximum building height of 50 feet, which provides for approximately four stories.

- Does the change in permitted uses being considered by Town Council require an additional Public Hearing at the Planning Commission level?

Per Town's counsel, since during the Planning Commission public hearing on June 18, 2013 there were no comments from the public and no opposition has been submitted in response to this application, a second public hearing at the Planning Commission is not required. A second Public Hearing will be scheduled for the Council meeting at which the Council is agendized to take action on this application.

Senior Planner Escobar presented information on this agenda item.

Jonathan Millett from Boyle, Pecharich, Cline, Whittington, and Stallings Law Firm, representing Verde Exploration, pending owner of the property, stated that there is an access point via a pipeline that runs underneath the river which may allow them to connect to the Town water and wastewater. The conduit is approximately 18". Mr. Millett stated that Verde Exploration is comfortable with the requirement as written.

Mayor Von Gausig stated that he would like to see the potential on the property for boat rentals and sales stay in the wording of use #11 and Escobar stated that the permitted use could be amended to exclude everything else except boat rentals and sales.

**This is scheduled as a worksession and no Council action is required.**

**PUBLIC HEARING REGARDING THE CREATION OF SECTION 3-17, ARTS & ENTERTAINMENT DISTRICT, OF THE CLARKDALE ZONING CODE TO ADOPT AN OVERLAY DISTRICT WITH SPECIFIC ZONING REQUIREMENTS IN THE CENTRAL CLARKDALE AREA - A public hearing regarding the creation of an Arts & Entertainment District, Ordinance #354.**

The ordinance being proposed would create a new overlay district for the Town. The purpose of this overlay district is three fold:

- To promote economic development in the Clarkdale central commercial area.
- To preserve the historic look of the Central Business District.
- To allow for the approval of exemptions from the distance restrictions prescribed in Arizona State Statute (ARS) 4-207 regarding the location of establishments serving alcoholic beverages in relation to schools and churches.

The Arts & Entertainment District does not change the zoning of any properties within the boundaries of the proposed district. The majority of the properties within the proposed district are already zoned Central Business (which is a commercial zoning) or Commercial.

One option for the proposed district is to include 19 single-family residences, including homes on Ninth, Tenth and First South Streets. These homes are immediately adjacent to the commercial core of Clarkdale. Inclusion of these homes within the boundary of the overlay district is supported by the Tejido Study completed in the 1990s by the University of Arizona. This study identified the downtown area as a vibrant commercial center for the Town and recognized the potential of residences being converted to commercial uses due to their proximity to the commercial core.

Inclusion of these homes within the district boundaries only recognizes the potential to transition to commercial uses. Any of these single-family residential properties would need to receive zone change approval through a public process with hearings before the Planning Commission and Town Council. The public process would identify any issues regarding the proposed zone change. Neighbors would be provided notice of the proposal and have the opportunity to provide input at the public meetings. Any issues would need to be mitigated and addressed prior to the Planning Commission's recommendation and Town Council action on a zone change request.

### **Public Input**

Subsequent to the Council worksession on May 14, 2013, a Public Hearing was conducted by the Planning Commission on June 18<sup>th</sup>. Due to public comment submitted by a resident of Tenth Street, the public hearing was continued to August 20<sup>th</sup> so staff could prepare a response to the concerns presented. The August 20<sup>th</sup> public hearing was well attended, in part due to an erroneous association made by some members of the public linking the proposed Arts & Entertainment District with promotion of sexually oriented businesses. The Town Manager provided clarification at the hearing stating there was no connection between Chapter 18 of the Town Code, adopted by Ordinance 222 in

the year 2000, and the proposed Arts & Entertainment District. Staff pointed out there was no property within the proposed overlay district where a sexually oriented business would be permitted, per the restrictions of Chapter 18.

A breakdown of public comment received as of the date this report was written follows:

- Three residents within the proposed boundaries (Option #2) are opposed to the district. Opposition cited the potential negative impact to existing residences, including increase in traffic, noise, and impact on existing infrastructure. Staff notes the overlay district does not change the existing zoning. Any residentially zoned property would need to complete a zone change approval process prior to initiating commercial uses. During this process, impacts to surrounding properties would be identified and mitigated where possible. Zone change approval could be withheld if Council so chooses. For those properties already zoned commercial, the Zoning Code has performance standards regarding traffic and nuisances and Town Code Section 10-1-11 regulates noise offenses.
- An owner of a single-family residence on Ninth Street has submitted an email in support of the district, recognizing the overlay district could enhance the ability to create a vibrant economic center for Clarkdale and add value to his property.
- The proposed district is supported by the business owners in the downtown area, and written comments have been received from Drake Meinke, Copper Art Museum and the Verde Canyon Railroad.
- The two churches in the area are not opposed to the proposal.

In addition, the property owners of 1100 First South Street have requested inclusion in the district. This home, located at the northwest corner of the intersection of First South and Clarkdale Parkway, was not originally considered as part of the district. Entrance to this home is from First South Street. Also, none of the properties directly adjacent to this property have expressed interest in being part of the district. The Planning Commission did not include this property in their recommendation.

#### **Inclusion of Industrial Area:**

Per direction of Council at the May worksession, the boundaries of the proposed district were expanded to include more of the industrial area from the Miller Building out towards Cement Plant Road. There will be a future street connection from Broadway to Cement Plant Road connecting these properties to the Central Business District. Staff has been contacted by both of the property owners in this area, United Verde and Clarkdale Minerals. They do not wish to be included within the district, stating the current industrial uses of the properties seem to conflict with the intent of the proposed overlay district.

#### **Planning Commission action:**

At their August 20<sup>th</sup> meeting, the Planning Commission reviewed three options for district boundaries and recommended approval of the overlay district with boundary option #2. This option includes the 19 single-family residences but does not include the industrial zoned property owned by Clarkdale Minerals and Verde Exploration or the additional residence at 1100 First South.

After careful consideration of all the public input, the Commission agreed inclusion of the 19 homes provided the most options for homeowners and created the most viable district. The Commission

stated issues raised by those opposed to the district could be adequately addressed during the review and public input process required during the re-zone approval.

As the Commission noted, the boundaries of the overlay district may be amended in the future. The two requirements per state statute are:

1. the boundary line is contiguous, and
2. the area of the district may not exceed one square mile.

**Summary:**

- The 2012 Clarkdale General Plan supports creation of an Arts & Entertainment district. One objective of the Economic Development Element is to:

*'Assist efforts to develop the downtown as a mixed-use activity center that includes a variety of economic development choices and services.'*

- Development of the Arts & Entertainment district is supported by the Sustainable Community & Economic Development Plan adopted by Town Council in July 2013. This Plan includes the following strategic implementations:

**Short-term Strategies – zero to 2 years:**

1. Create the overlay boundaries for the arts and entertainment district.
  2. Develop the marketing strategy to include naming, branding, signage, and streetscape improvements.
  3. Work with the Broadway/Main Street intersection team to design location for a new district entryway.
  4. Develop, support and promote destination events throughout the Town to increase attractions for people, residents, and tourists to come to Clarkdale.
- The Arts & Entertainment District does not change the zoning of any properties within the boundaries of the proposed district. The majority of the properties within the proposed district are already zoned Central Business (which is a commercial zoning) or Commercial.
  - Adoption of general design guidelines for the district will help preserve the historic flavor of the original commercial core of the Town.

Senior Planner Escobar presented information and Power Point presentation on this agenda item which portrays three options recommended by the Planning Commission:

- 1) Includes industrial area and single-family residences;
- 2) Does not include industrial area, includes single-family residences
- 3) Does not include industrial area or single-family residences.

Mayor Von Gausig opened the discussion to the public and first read a letter into the record from Robyn Prud'homme-Bauer, Clarkdale resident, business owner on Main Street, who supports overlay district as recommended by the Planning Commission.

Drake Meinke, founder of Copper Art Museum, spoke in favor of the overlay district and cited numerous benefits. Prefers Option #2.

Lee Daniels, Clarkdale resident, supports the overlay district and, in particular, Option #2.

Todd Green, new Clarkdale resident, lives in one of the houses on the west side of 10<sup>th</sup> Street. Stated he shares a few of the concerns of his neighbor who spoke against the district, but overall, supports the overlay district.

Andy Dall, Operations Manager, Clarkdale Metals, stated he supports the Arts and Entertainment District, but doesn't like option 1. He owns commercial property in the downtown area and fully supports option #2.

Mayor Von Gausig closed the public hearing.

**This is a Public Hearing only, no Council action is required.**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 3 OF THE ZONING CODE BY ADDING SECTION 3-17: ARTS & ENTERTAINMENT DISTRICT TO ADOPT AN OVERLAY DISTRICT WITH SPECIFIC ZONING REQUIREMENTS IN THE CENTRAL CLARKDALE AREA; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #354 regarding an Arts & Entertainment District.**

The ordinance being proposed would create a new overlay district for the Town. The purpose of this overlay district is three fold:

- To promote economic development in the Clarkdale central commercial area.
- To preserve the historic look of the Central Business District.
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Inclusion of these homes within the district boundaries only recognizes the potential to transition to commercial uses. Any of these single-family residential properties would need to receive zone change approval through a public process with hearings before the Planning Commission and Town Council. The public process would identify any issues regarding the proposed zone change. Neighbors would be provided notice of the proposal and have the opportunity to provide input at the public meetings.

Any issues would need to be mitigated and addressed prior to the Planning Commission's recommendation and Town Council action on a zone change request.

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- An owner of a single-family residence on Ninth Street has submitted an email in support of the district, recognizing the overlay district could enhance the ability to create a vibrant economic center for Clarkdale and add value to his property.
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district, stating the current industrial uses of the properties seem to conflict with the intent of the proposed overlay district.

**Planning Commission action:**

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After careful consideration of all the public input, the Commission agreed inclusion of the 19 homes provided the most options for homeowners and created the most viable district. The Commission stated issues raised by those opposed to the district could be adequately addressed during the review and public input process required during the re-zone approval.

As the Commission noted, the boundaries of the overlay district may be amended in the future. The two requirements per state statute are:

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**Summary:**

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**Short-term Strategies – zero to 2 years:**

5. Create the overlay boundaries for the arts and entertainment district.
  6. Develop the marketing strategy to include naming, branding, signage, and streetscape improvements.
  7. Work with the Broadway/Main Street intersection team to design location for a new district entryway.
  8. Develop, support and promote destination events throughout the Town to increase attractions for people, residents, and tourists to come to Clarkdale.
- The Arts & Entertainment District does not change the zoning of any properties within the boundaries of the proposed district. The majority of the properties within the proposed district are already zoned Central Business (which is a commercial zoning) or Commercial.
  - Adoption of general design guidelines for the district will help preserve the historic flavor of the original commercial core of the Town.

Councilmember Regner noted that he would like Council to consider including in option #2 an additional area south of the railroad right-of-way, along both sides of Bitter Creek Wash.

Mayor Von Gausig expressed hesitancy at including that area since it was not in the plan made available to the public.

Vice Mayor Dehnert stated that it could be amended at a later date after opportunities for public input was available.

**Councilmember Regner moved to Adopt Ordinance #354, an Ordinance of the Mayor and Council of the Town of Clarkdale, Yavapai County, Arizona amending Section 3 of the Zoning Code by adding Section 3-17: Arts & Entertainment District to adopt an overlay district with specific zoning requirements in the central Clarkdale area; repealing conflicting ordinances and providing for severability with Option # 2 as forwarded to the Council by the Planning Commission. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.**

**WORKSESSION REGARDING THE RE-STATEMENT OF DEVELOPMENT AGREEMENT FOR THE CROSSROADS AT MINGUS SUBDIVISION:** Discussion regarding the Re-statement of Development Agreement for the Crossroads at Mingus Subdivision.

Representatives of PTM Enterprises, LLC (Developer) and Town staff have drafted a re-statement of all of the previous development agreements for this project. The re-statement is being generated to consolidate the original development agreement with three subsequent amendments to the development agreement and to reflect additional agreements between the Developer and the Town. The re-statement also represents the results of negotiation on the following points:

1. The timing and procedure by which Developer will arrange for the retrofitting of water meter connections for certain lots within the Property;
2. Improvements to Mescal Spur Street Extension and the financing arrangements for the completion of the Mescal Spur Street Extension/SR 89A Intersection;
3. Clarification of the fee credits for both wastewater and water infrastructure;
4. Clarification of water and wastewater fee obligations for 49 lots previously sold to third parties; and
5. Delineation of the proposed phasing of parks development.

**Section 11: Infrastructure – Water Meter Retrofits**

In certain locations of the project the water meter connections installed by the previous owner/developer do not meet Town standards. Section 11.1 states the Developer will replace the non-compliant connections with correct connections by blocks of lots prior to the sale of any lots within the designated block. Identification of the replacement schedule will be done through an exhibit attached to the re-statement.

**Section 16: Circulation System – Mescal Spur/SR 89A Intersection:**

A compromise between the Town's position and that held by the Developer related to the development of the intersection of Mescal Spur Street Extension and State Route 89A resulted in the following summarized agreement outlined in the re-statement.

The Developer has agreed to pay fifty percent of the cost of construction of the Mescal Spur/SR 89A Intersection. Staff and the Developer are proposing to set a maximum total cost of \$300,000 for the project which would obligate the Developer to a maximum expense of \$150,000. The maximum total

cost of \$300,000 includes all expenses related to the construction of the intersection, such as design, engineering and permitting. If costs exceed this maximum, the two parties agree to renegotiate an alternate agreement.

Staff is proposing the Town fund all of the upfront costs related to construction of this intersection and collect the Developer's fifty-percent portion in two equal payments. Funding is available to allow the Town to undertake and complete this project. Staff feels this is the most cost efficient way to proceed since construction and permitting fees are anticipated to increase.

Per the re-statement, the first payment would be due from the Developer for their fifty-percent share prior to issuance of the 65<sup>th</sup> building permit to the Developer, or the recorded sale of the 65<sup>th</sup> lot by the Developer. The second and final payment would be due prior to issuance of the 129<sup>th</sup> building permit or the recorded sale of the 129<sup>th</sup> lot. Failure to make either of the two required payments will result in the Developer being in default of the Re-statement. Further, prior to the completion of the sale of the entire Project or all lots within the Project, the Developer's portion of the total project costs for the Mescal SR89A Intersection Project shall be reimbursed to the Town in full.

#### Section 17: Wastewater and Water System:

Staff agrees the Developer is eligible for fee credits for wastewater capacity fees up to a maximum of \$2,012,015 – the Developer's contribution to the cost of the design and construction of the new wastewater treatment plant. Further, staff agrees the Developer is eligible for water capacity fees in exchange for the designated value of \$200,000 for the Mescal Well. This well was constructed as part of the infrastructure for the subdivision and dedicated to the Town in 2011. Wastewater and water fee credits will be reimbursed to the Developer on an annual basis from wastewater and water capacity fees collected as new homes within the subdivision connect into the Town's wastewater and water systems.

In addition, the re-statement outlines the wastewater and water fee credits related to the 49 third party-owned lots. The total wastewater fee credit for the 49 lots equals \$246,323 and is credited against the maximum wastewater fee credit total of \$2,012,015. Similarly, the total water fee credit for the 49 lots equals \$113,778 and is credited against the maximum water fee credit of \$200,000.

#### Section 19: Trails/Drainage and Recreational Facilities – Phasing of Park Development

Per the recorded plat for the Crossroads at Mingus, the Developer is obligated to dedicate Tracts F and K as public parks to the Town. The phasing of development of these two parks was not addressed in any of the previous agreements. The Developer has requested permission to phase the development, construction and subsequent dedication of these two parks. Staff is proposing the timeline for this phasing be structured to match the proposed timeline for the payment of the Developer's portion of the Mescal SR 89A Intersection Project. The park on Tract F, at the corner of Mescal Spur and Old Jerome Highway, shall be completed prior to issuance of the 65<sup>th</sup> building permit to the Developer, or the recorded sale of the 65<sup>th</sup> lot by the Developer. The park on Tract K, located on Skyline Boulevard, shall be completed prior to the issuance of the 129<sup>th</sup> building permit or recorded sale of the 129<sup>th</sup> lot.

Community Development/Economic Director Filardo presented information and gave Power Point presentation on this agenda item.

Mayor Von Gausig stated he has spoken with John and Colleen Tobias and felt lucky that they stuck with this project when they didn't have to and that they continued to put money into it. The re-

statement avoids a court adjudicated situation and stated he likes the re-statement. It cleans up all former agreements from prior developers, i.e., Cliffrose, Highlands, etc.

Some discussion followed regarding the \$300,000 cap and the 50/50 split of costs between the Town and the developer. Steve Biasini, Project Manager for Crossroads at Mingus, explained the levels of obligation. He stated that there was a significant improvement in the roads that now allow emergency access in the event of a bad weather situation. The highest bid they received for the construction of a permanent public road was about \$232,000. They believe the \$300,000 cap is well above what the cost is expected to be. They would like to get a preliminary permit before the fees are increased.

The re-statement is written in a way that allows for either party to back out if the costs get too high. Councilmember Radoccia stated that backing out of the contract may be difficult depending on the stage of the construction.

Councilmember Regner expressed concern about upfront costs and possibility of not getting reimbursed in the event of economic downturn, sluggish lot sales, or other events.

Council generally feel the deal is fair and encouraged to see project this move forward.

**This is a worksession only. No Council action is required.**

**CLARKDALE KIDS CONSERVE GRANT PROPOSAL** – Discussion and consideration of a request for funding the development and implementation of a water education curriculum for Kindergarten -8<sup>th</sup> Grade students at the Clarkdale-Jerome School.

Lynda Zanolli, Education Center Director for the Verde Natural Resource Conservation District, has requested the Town of Clarkdale help fund the development and implementation of a water education curriculum for Kindergarten -8<sup>th</sup> Grade students at the Clarkdale-Jerome School.

The Clarkdale Kids Conserve Grades K – 4 Program designed for the Clarkdale/Jerome School emphasizes the importance of conserving water. The classroom programs follow the “Standard Curriculum” in place for elementary students. Clarkdale/Jerome School has a total of 300 students that will receive a conservation lesson four times a year. Complete program funding in the amount of \$4,465.50 for the two year K-4 program is being requested from the Town of Clarkdale. A detailed budget is attached.

The Clarkdale Kids Conserve Grades 5 - 8 Program also emphasizes the importance of water conservation and, through classroom projects and field trips, will also learn about their own watersheds. Field trips will include “Clarkdale specific” sites such as the Verde River and the new wastewater Treatment Plant. The Verde Natural Resource Conservation District has received a grant from Yavapai County Community Foundation for partial expenses for the Grades 5-8 Program. The remaining program funding in the amount of \$4,500.00 for the two year Grades 5-8 Program is being requested from the Town of Clarkdale. A detailed budget is attached.

The Clarkdale Water Conservation Program fund that accumulates through water billing an average of \$372.00 per month or about \$4,500.00 annually currently has \$22,000.00 that could be used for these programs.

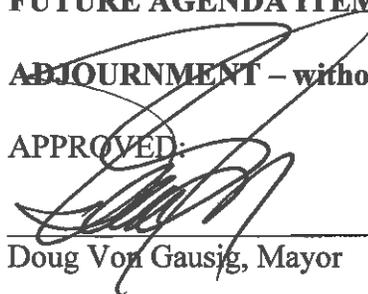
Utilities Supervisor Ellen Yates introduced Scott Jacobson, Principal at Clarkdale-Jerome School, and Lynda Zanolli, Education Center Director for the Verde Natural Resource Conservation District. Ms. Zanolli presented information on this agenda item. There are two budgets. Need 100% funding for K – 4 program from the Town and partial funding needed for the grades 5 – 8 program.

**Vice Mayor Dehnert moved to approve funding of the Clarkdale Kids Conserve K-4 Program in the amount of \$4,465.50 and funding in the amount of \$4,500.00 for the Clarkdale Kids Conserve Grades 5-8 Program. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

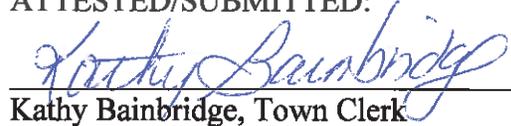
**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda.

**ADJOURNMENT** – without objection, Mayor Von Gausig adjourned the meeting at 5:53 P.M.

APPROVED:

  
\_\_\_\_\_  
Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:

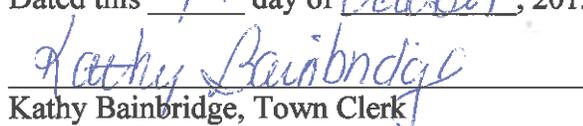
  
\_\_\_\_\_  
Kathy Bainbridge, Town Clerk

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 24<sup>th</sup> day of September, 2013. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 9<sup>th</sup> day of October, 2013.

SEAL

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