

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, February 11, 2014**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 11, 2014, 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 5:59 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig	Councilmember Bill Regner
Vice Mayor Richard Dehnert (absent)	Councilmember Curtiss Bohall
Councilmember Rennie Radoccia	

Town Staff:

Town Manager Gayle Mabery
Town Clerk/Finance Director Kathy Bainbridge
Community Services/Human Resources Director Janet Perry
Utilities/Public Works Director Wayne Debrosky
Police Chief Randy Taylor
Community Development/Economic Director Jodie Filardo
Senior Planner Beth Escobar
Building Official Paul Grasso
Utilities Supervisor Ellen Yates
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.

John Erickson, Clarkdale resident, acknowledged and thanked Town staff that cleaned up the monument as you enter town.

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 – (Mayor Von Gausig stipulates he has a weekly meeting with the Town Manager as well as weekly Arizona League Legislative and Officer Conference calls)

January 15, 2014 Attended MVWAC meeting

January 16, 2014 Attended Philosophy in the Public Interest Issues Committee meeting

January 22, 2014 Participated in Water Resource Management Working Group conference calls;
Met with Jim Holway from Sonoran Institute re: Corporation Commission campaign

January 23, 2014 Verde Check-in with Walton Family Foundation

January 27, 2014 Participated in Arizona League Officer's conference call

January 28, 2014 Attended Town meeting to discuss Town Attorney services

January 29, 2014 Participated in Carpe Diem West Management Team conference call regarding ecosystem services

January 30, 2014 Attended Issue Committee Leadership meeting for Arizona Forward

January 31, 2014 Attended Local First Arizona mixer at Clarkdale Clubhouse

February 4, 2014 Attended Arizona Forward Water committee meeting

February 7, 2014 Attended ASCOT Board meeting

February 11, 2014 Met with Ken Strobeck (President of Arizona League) and Barry Broome (President and CEO of GPEC)

Councilmember Bohall's Report –

January 15, 2014 Attended Rural Transportation Summit in Prescott

Noted there was sidewalk grinding that took place in the last month for the purpose of smoothing out walkways in the town complex and around town.

Councilmember Regner's Report –

January 21, 2014 Attended Friends of Southwest Wine Center board meeting

January 31, 2014 Attended Local First Arizona mixer

February 7, 2014 Attended VVREO expanded session

Councilmember Radoccia's Report –

January 21, 2014 Attended Friends of Southwest Wine Center board meeting

Attended NAMWUA and VVLP meetings

Town Manager's Report –

Attended ACMA winter conference in Sedona

Reminders: This Thursday the Fire District is holding a Health Fair from 9 a.m. – 3 p.m.;
Town offices closed on February 17, 2014 for President's Day.

Organizational Reports – Reports regarding regional organizations.

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

VVTPO: Minutes included in Council packet

CAT: New bus routes started but had only run two days at time of meeting so no good data yet. Buses are running every 45 minutes now with a few more stops per day. There are more LYNX buses due to increased ridership. The Yavapai-Apache Nation is hoping to start their buses the first of April and will be originating in Clarkdale early in the morning. This is a joint coordinated effort with CAT.

TPAC: Yavapai County Supervisor Tom Thurman was elected chair.

NACOG - Northern Arizona Council of Governments – Vice Mayor Dehnert: No report

NAMWUA - Northern Arizona Municipal Water Users Association – Councilmember Radoccia:

Meeting in Sedona on January 24, 2014. ADWR gave presentation on strategic vision for water supply sustainability which was broken into 6 categories: 1) resolution of Indian/non-Indian water right claims; 2) continued commitment to conservation and expanded use of reclaimed water; 3) expanded monitoring and reporting of water use; 4) identifying role of in-state water transfers; 5) supply and importation (desalinization) out of Gulf of Mexico and Sea of Cortez; and 6) development of a financing mechanism to support water supply resiliency. Radoccia stated that he was amazed that the plan did not discuss land planning and zoning as strategic issues to control water use. The outlook isn't good if the population rate grows as predicted.

VRBP – Verde River Basin Partnership – Mayor Von Gausig: No report

VVLP – Verde Valley Land Preservation – Councilmember Radoccia:

February 10, 2014 meeting: The group is at a crossroads. The strategic planning retreat was held last month in which plans were discussed. The current board is exhausted and they currently can't fill the president/vice president/treasurer positions. Bob Rothrock, Chip Davis, and others are stepping down and no one is available to take their places. Can't move forward as a group effectively without leaders. They will devote the next meeting to recruiting discussions.

WAC - Yavapai County Water Advisory Committee – Mayor Von Gausig: Discussed Central Yavapai Highlands Water Resource Management Study’s and proposed alternatives.

VVREO – Verde Valley Regional Economic Organization – Councilmember Regner:

February 7, 2014 quarterly board meeting: Liaisons are invited to attend only quarterly after board meeting. At that time Arizona House Speaker Andy Tobin gave brief legislative update and presentation on upcoming legislation that he is guiding through legislature this year on Revenue Allocation Districts that will provide municipalities with a tax increment financing type of economic development tool.

YCL – A report from the Yavapai College Liaison – Councilmember Regner:

Verde Valley campus has an unduplicated headcount of 1,633 students and 8,118 credit hours, up from spring semester last year.

The vote for the Cottonwood Ranch easement passed and the College has also been granted additional easements needed to start the reclaimed water project which will be underway soon.

College is hosting Verde Valley SciTech festival (with other partners including the Town of Clarkdale). The Verde campus will host an Expo on March 28th from 5 – 9 p.m.

Groundwork has begun on Southwest Wine Center.

The College has forfeited its 2014 women’s softball season due to the loss of players. The softball head coach will relinquish her duties and the search for a new head coach has begun.

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 January 14, 2014 and Special Meeting January 28, 2014.
- B. Claims** - List of specific expenditures made by the Town during the previous month. January, 2014 check log and PPE dated January 11, 2014 and January 25, 2014.
- 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 January 22, 2014
 - Design Review Board Notice of Cancellation of meeting January 1, 2014
 - Planning Commission minutes of the meeting held January 21, 2014
 - Library Advisory Board Notice of Cancellation of meeting January 2, 2014
 - Parks and Recreation Committee Notice of Cancellation of meeting January 8, 2014
 - Public Safety Personnel Retirement System minutes of the meeting held January 29, 2014

- D. A Resolution Supporting the Restoration of Arizona Highway User Revenue Fund (HURF) Distribution to Cities, Towns, Counties and State Highways – Approval of Resolution 1456, supporting the restoration of the HURF distribution to cities, towns, counties and state highways.**

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

NEW BUSINESS

BUILDING CODE WORKSESSION – a worksession regarding the update from 2006 International Code Council (ICC) building codes, and from 2002 National Electrical Code (NEC) to the 2012 ICC codes, and the 2011 NEC.

The International Code Council building codes provide a universal set of rules and guidelines for use in managing residential and commercial construction. Because of the volume of the codes, the overall code is broken down into a series of code books as follows:

- 2012 International Building Code (IBC) with appendices
- 2012 International Residential Code (IRC) with appendices
- 2012 International Plumbing Code (IPC) with appendices
- 2012 International Mechanical Code (IMC) with appendices
- 2012 International Fuel Gas Code (IFGC) with appendices
- 2012 International Swimming Pool and Spa Code (ISPSC) with appendices
- 2012 International Energy Conservation Code (IECC) with appendices
- 2012 International Property Maintenance Code (IPMC) with appendices, and
- 2012 International Existing Building Code (IEBC) with appendices.

This update also includes adoption of the new 2011 National Electric Code (NEC).

The Town of Clarkdale has been a member of the ICC since 1991. Over the 23-year period, Town Council has adopted a series of code changes, the most recent occurring in 2008. At that time, the Council adopted the 2006 ICC codes. In March 2004, the Council also adopted the 2002 NEC. Keeping the code current ensures new construction in Clarkdale takes full advantage of the latest best practices. In addition, complying with the most-current international codes also assists our residents as current codes enhance the Town's Insurance Services Office (ISO) and Community Rating System (CRS) ratings resulting in more advantageous insurance rates for residents.

Since 2013, Yavapai County and each of the towns and cities within the County have worked on achieving the adoption of the 2012 ICC codes and the 2011 NEC codes. Thus far, Sedona has adopted the 2012 codes as of this month. Additionally, Yavapai County and Camp Verde are moving forward to adopt the new codes in their jurisdictions. Cottonwood is currently using the 2009 ICC codes, and presently they have no plans to update. Thus far, building contractors, both those living locally and others from out of the area, have expressed their approval for a code update.

Of particular interest to Clarkdale is retention of the code relating to fire sprinklers. Based on staff discussions with the League of Cities and Towns and with our legal counsel, staff was advised to retain the existing code relating to fire sprinklers and adopted through Ordinance #282 dated October 11, 2005

and to omit the sections of new code from the 2012 ICC building codes (Section R313 Automatic Fire Sprinkler Systems). In so doing, the Town expects to retain its ability to require fire sprinklers. Please note, no legal challenges on this topic have yet been undertaken. Staff has also communicated with the Clarkdale Fire District regarding the Town's pursuit of code updates. Please be advised, we are not bringing forward the 2012 International Fire Code at this time, although we are in communication with the Clarkdale Fire District on this topic.

Budget:

Minimal budget impact is expected with the adoption of the new codes. One set of books for the new codes was purchased already. Additional training for the Building Official can be accommodated within this year's existing budget in Community Development.

Recommended modifications to the standard code for Clarkdale as noted in Chapter 7, Building Code of Town Code:

The recommended major updates from the 2006 to the 2012 codes are as follows:

1. R302.5.1: Self-closing doors required between garages and living areas. - *Protection from automobile fumes.*
2. R308.4.6: Safety glazing at stairways and tubs/showers updated - *Protection from injuries*
3. R310.1: Habitable attics require escape and rescue openings - *Homeowner's escape route and Firefighter access*
4. R311.3: Landings are required at each side of an exterior door. - *Safety*
5. R312.2: Window guards requires at sills 24" or less. - *Safety*
6. R315: Carbon monoxide protection (detectors) *Much like smoke detectors- Safety*
7. R807: Attic access must be weather tight. - *Energy savings*
8. N1103.1.1: Forced air furnaces must have a programmable thermostat. - *Energy savings*
9. R202 75% of lamps must be energy efficient. - *Energy savings*
10. M2302.5: Add: Access around photovoltaic panels must be a minimum of 36" at 3 sides. - *Firefighter safety*

Although many of the items we're updating in Chapter 7 of Town Code are housekeeping issues, the following items are additional modifications to the new codes we're recommending:

1. **R302.3 Fire separation of dwelling units in two-family structures.** We recommend the reduction of the four-hour burn rating for walls between dwelling units to a one-hour drywall burn rating (on each side of the wall), commensurate with the ICC code standards and with other municipalities. Currently, our code requires a masonry or concrete wall separating these types of units and a four-hour burn rating. However, with both units protected by a fire suppression system, the one hour rating would be sufficient. Clarkdale Fire District Chief Moore was part of the discussion regarding this proposed change, and is supportive of this modification.
2. **Omit: G2439.5.6 Dryer vent identification. Concealed dryer vent would need a permanently affixed label located within 6' of the appliance.** Based on the experience of staff, this requirement seems unnecessary and creates an undue burden on the builder.

Next steps:

Following guidance to staff from Council, this item will be brought forward for discussion/possible action. Upon Council's approval of the 2012 ICC codes and the 2011 NEC, the Community Development

Department will update the forms used for permit issuance and will work with developers as they bring in permits to educate them on the code differences listed above.

Building Inspector Paul Grasso presented information on this agenda item.

Mayor Von Gausig would like the Department to look into 3' setback for solar. Are those correct setbacks and are they needed on three sides?

Councilmember Radoccia stated he was hesitant to move forward with new codes at county level due to cost. If towns don't change codes every 6 years or less you are penalized by insurance companies. There are many issues to review.

It was noted that digital copies of the code are about the same cost as the paper copies of the books.

Public comment: Ralph Clemmer, project manager from BC Land Group in Mountain Gate, stated he was in favor of the 36" setback and access around photovoltaic panels for purposes of fire safety.

Planning Department will make changes and bring back to Council.

This item is scheduled as a worksession only. No council action is required.

CONSUMABLE PRODUCTS ORDINANCE WORKSESSION - a worksession regarding a proposed ordinance adding language to the Town Zoning Code Chapter 2: Definitions and Chapter 3: Zoning Districts, Sections 3-9.a.17 (central business district) and Section 3-11.a.20 (commercial district) allowing the manufacturing, production, and assembly of consumable products as permitted uses.

Staff has received some inquiries regarding possible uses of empty buildings along Main Street related to the production of consumable products such as beer, wine and coffee. There have been two specific incidents where potential businesses, one a micro-brewery and one a coffee producer, investigated moving into a building in the area. Currently, the permitted uses in the Central Business and Commercial Districts do not include the manufacture or production of any perishable products for consumption. Manufacturing first appears as a permitted use in the Industrial District, although there is no specific reference to consumable products other than food. Since brewing and coffee roasting are not permitted uses, the businesses went to a different location.

With the explosion of wine-related commercial activities in the Verde Valley, a zone change adding the manufacturing of consumable products as a permitted use might allow Clarkdale to attract more businesses to the area.

The proposed ordinance would add production and manufacturing of consumable products, defined as 'perishable products made, produced, assembled, roasted, brewed or distilled for human or animal consumption.' These uses would be added to the Central Business District, including the downtown area, and the Commercial District, including the commercially zoned property along SR 89A.

In addition to wine-related businesses, the proposed ordinance would allow for so called 'cottage industries' such as manufacturing of compound pharmaceuticals, soaps, lotions and essential oils, and

pet food products such as dog biscuits. These types of businesses seem a good fit for the Central Business District and Commercial Districts, within certain parameters.

Increasing the variety of uses permitted in these two zoning districts could promote more commercial activity within the Town.

Regulations in other communities:

Yavapai County:

Wineries are allowed within the RCU-2 District (Rural, single-family, 2-acre minimum) with a Conditional Use Permit. Similar uses would be considered through a CUP application.

City of Cottonwood:

Light manufacturing is allowed in their Light Commercial Zoning District. Manufactured products must be incidental to permitted use, must be conducted within an enclosed building, and shall not use more than 50 percent of the ground floor area of the building.

For wineries and micro-breweries, production quantities are also restricted by the State Liquor License. For a Series 13 liquor license, for a Domestic Farm Winery, a minimum of 200 gallons must be produced, and the business may produce up to a maximum of 40,000 gallons. A microbrewery, Series 3 Liquor License, requires a 5,000 gallon minimum production and a 1,240,000 gallon maximum production.

Staff could find no reference to the production of other consumable products, such as coffee or cheese, in the zoning ordinances of other communities.

In general, products for human consumption are subject to regulations from the state or county addressing health and safety issues.

Existing Rules:

There are Performance Standards for the Central Business District and Commercial District in the Zoning Code providing regulations regarding outdoor storage, waste disposal, odor and nuisances. These regulations are in place and would apply to any business manufacturing consumable products.

Sustainable Community and Economic Plan:

A mid-term strategy of this plan adopted in July 2013 is to: *'Research and pursue supply chain businesses to support the Arizona wine industry such as producers...'*

Clarkdale General Plan:

Economic Development Element Goal 12.1.b: *'Work to make the local economic climate more supportive of business investment in the community.'*

Planning Commission:

The Planning Commission reviewed the proposed ordinance in three public meetings. A public hearing was held on December 17, 2013.

Per the Commission's direction, the terms 'roasted' and 'brewed' were added to the definition for consumable products.

In addition, the Commission directed staff to add the language regarding sustainable manufacturing practices. Language from the EPA's Sustainable Manufacturing website was incorporated into the ordinance. This language encourages sustainable manufacturing practices. Since these will differ from product to product, this broad language addresses the issue in general, while allowing specific businesses to research and develop best practices.

At their January 21, 2014 meeting the Planning Commission unanimously recommended approval of the proposed ordinance.

Senior Planner Escobar presented information on this agenda item.

Mayor Von Gausig stated that the proposed ordinance leaves the door open for unwanted consequences and should be tightened up for Central Business District/Entertainment District.

Councilmember Regner asked if a percentage consumed versus a percentage that goes out the door be established and Escobar noted that language could be included.

Escobar noted that in the industrial zone Town code allows manufacturing on a large scale.

Councilmember Radoccia gave example of the Cottonwood ordinance which allows for no more than 50% manufacturing and 50% retail (per square footage).

Balance of protecting the retail sector as well as the neighborhood. The Council likes the focus of the ordinance and requests staff bring it back.

Escobar stated that the department will look at a formula that will be acceptable to council.

This agenda item is scheduled as a worksession only. No council action is required.

DUI ENFORCEMENT GRANT RESOLUTION – Discussion and consideration of the approval of Resolution 1455, pertaining to the submission of a Clarkdale Police Department DUI Grant Proposal for FY 2015 through the Governor's Office of Highway Safety (GOHS) in the amount of \$ 5959.00.

The Clarkdale Police Department continues to strive for operating in a proactive way opposed to a reactive way. With this in mind we wish to stay ahead in traffic enforcement and education in keeping our community safe. We would like to put extra enforcement on DUI, speeding, aggressive driving, seatbelt usage and child restraints by providing money for overtime.

The additional overtime money requested would help continue our participation in a monthly victim impact panel, monthly, holiday DUI enforcement and Drug Recognition Evaluations and continue our CUB (Curb Underage Buying) through underage party and sales to minors stings.

We will also be requesting funds to purchase three (3) portable breath analyzers. (PBT)

Personnel Services (overtime)		\$ 3221.00
Holiday DUI Task Force	\$3121.00	

Employee Related Expenses		\$ 1181.00
Holiday DUI Task Force	\$1181.00	
Capital Outlay		\$1652.00
3 PBT's	\$1652.00	
Total Estimated Grant Request		\$5959.00

Police Chief Taylor presented information on this agenda item.

Councilmember Regner moved to approve Resolution # 1455, to accept the Clarkdale Police Department DUI Enforcement Grant Proposal for FY 2015 through the Governor's Office of Highway Safety for the amount of \$5959.00. Councilmember Bohall seconded the motion. The motion was approved unanimously.

NOTICE OF INTENT TO CHANGE UTILITY (WATER, WASTEWATER & TRASH) DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES – Discussion and consideration of a Notice of Intent to Change utility delinquency and disconnection dates.

Many people are on a fixed income and are finding it very difficult to meet the 14 day deadline to pay their Utility bill. Allowing 21 days to pay will give the resident more flexibility with their budgets. Making these changes would help many of our residents in paying their bills and reduce the amount of bad debt the Town has to assume.

Currently water service is discontinued or shut-off 75 days after the billing date (due date which is 14 days after the billing date and 60 days of delinquency). By allowing for the accumulation of such a high bill prior to shut-off, it is difficult for the resident to catch up and become current. Changing shut-offs to 30 days after the due date will reduce the past due amount making it a little easier for the resident to pay their utility bills.

The Town of Clarkdale Utilities Department has written off bad debt in the amount of \$29,931.23 for 2011-2012 and \$13,579.70 has accumulated in bad debt so far in 2013.

Now that all of the water meters throughout Town have been changed over to automatic readers, the Utility Department will be able to process utility bills for all users on one cycle instead of splitting the Town into two billing cycles. These changes will also allow the Utilities Department to standardize billing cycles and billing due dates for all residents.

Proposed Changes:

1. DELINQUENT UTILITY CHARGES (WATER, WASTEWATER, TRASH)

Current: Account Delinquencies – Past due Amount at ten (10) % after fourteen (14) days. Due date is fourteen (14) days after billing date.

Proposed: Past due Amount at ten (10) % after twenty-one (21) days. Due date would be twenty-one (21) days after billing date.

2. OTHER WATER UTILITY RATE AND FEE POLICIES

Current: Disconnection for Non-Payment – Water service shall be disconnected for non-payment sixty (60) days from the due date.

Proposed: Disconnection for Non-Payment – Water service shall be disconnected for non-payment thirty (30) days from the due date.

3. OTHER TRASH UTILITY RATE AND FEE POLICIES

Current: Discontinuation for Non-Payment – Trash service shall be discontinued for non-payment sixty (60) days from the due date.

Proposed: Discontinuation for Non-Payment – Trash service shall be discontinued for non-payment thirty (30) days from the due date.

The Notice of Intent to Impose or Increase Fees or Taxes, as required by A.R.S. 9-499.15, was posted on December 16, 2013 in order to comply with providing notice at least sixty days prior to the date the proposed new or increased fee or tax is scheduled to be approved or disapproved at a meeting of the Clarkdale Town Council.

The Notice of Intent to Change Utility (water, wastewater and trash) Delinquency and Disconnection for Non-Payment Dates schedules the required public hearing in order to officially consider the utility changes before Council for discussion and consideration as required by A.R.S. 9-511.01.

December 16, 2013	Post Notice of Intent to Impose or Increase Fees or Taxes (60 days prior to action by Council)
February 11, 2014	Council Adopts Notice of Intent to Set Wastewater Rates at a Regular Council meeting.
February 11, 2014	File report with data supporting the increase of rates with Town Clerk at least 30 days prior to the Public Hearing.
February 23, 2014	Public Hearing Notice published in newspaper. (Not less than 20 days prior to the public hearing.)
March 25, 2014	Hold Public Hearing & Consider Adoption of Rates by Resolution. (Not less than 30 days after adoption of Notice of Intent.)
April 25, 2014	Rates become effective. (30 days after the adoption of the Resolution or upon specific future date)

Utilities Supervisor Ellen Yates presented information on this agenda item.

Councilmember Regner moved for the approval of the Notice of Intent to Change Utility (Water, Wastewater & Trash) Delinquency and Disconnection for Non-Payment Dates. Councilmember Bohall seconded the motion. The motion was approved unanimously.

MAJOR AMENDMENT AND ZONING REVERSION FOR THE VERDE VALLEY RANCH PLANNED AREA DEVELOPMENT (PAD) BY ADOPTION OF A REVISED LAND USE SUMMARY AS THE APPROVED DEVELOPMENT PLAN - Discussion/possible action regarding a major amendment and zoning reversion for the Verde Valley Ranch Planned Area Development (PAD) to reflect prior land divisions through the adoption of a new land use map and revert the commercial zoning of a portion of Assessor's Parcel Number 400-07-011B, that property formerly known as the Clark Mansion, whose zoning was changed by resolution #1330 of the Town of Clarkdale on April 13, 2010, back to PAD.

Town Council approved rezoning of an 11.25-acre portion of the Verde Valley Ranch Planned Area Development on October 22, 2013. This portion has subsequently been removed from the development through a land division application approved by the Community & Economic Development Director and recorded at Yavapai County.

Prior to this most recent activity, the following changes to the original Land Use Summary, approved as part of the Verde Valley Ranch Planned Area Development in 1991, have occurred:

- In 2010 Clarkdale Town Council approved a zone change for a five-acre portion of Assessor's Parcel Number 400-07-001B. The Clark Mansion was located on this portion. Subsequent to the zone change approval, the Clark Mansion was destroyed in a fire, so the proposed land division to remove this portion of the property from the Planned Area Development was never completed. This portion of land, therefore, needs to be returned to the Verde Valley Ranch project and the zoning reverted to Planned Area Development.
- In 1996 Phelps Dodge donated approximately 17.79 acres to the Archaeological Conservancy (now parcel 400-02-003E).
- In 2004, Phelps Dodge transferred approximately 10 acres to Arizona State Parks (now parcel 400-07-001A).

Per section 6-2.B.6 of the Zoning Code, the previous land divisions and the removal of the 11.25 portion qualify as a major amendment to the Planned Area Development.

The Land Use Summary map attached with this staff report reflects all of the changes listed above. Adoption of this Land Use Summary will remove Assessor's Parcel Numbers 400-02-003E (Archaeological Conservancy) and 400-07-001A (Arizona State Parks) from the PAD. It will also return the Clark Mansion portion to the PAD and the original land use designation of Tract R – Clark House.

Planning Commission:

At their December 17, 2013 meeting, the Planning Commission unanimously recommended approval of the Major Amendment and Zoning Reversion. No one spoke in opposition to this proposal at the public hearing held by the Planning Commission.

Senior Planner Escobar presented information on this agenda item.

Mayor Von Gausig asked if we would be reverting to a time when the document referred to a structure. Escobar noted that this will be clarified when it is brought back before council. Needs to be approved by attorneys.

Town Manager Mabery asked if there was any reason that if the council wanted to change the chart/legend to replace "Clark House" with term "residential" to match other residential uses would they be able to do that. Escobar noted that it was presented to all parties in public hearing and to Freeport McMoRan as Tract R. It would still have to come back for a review as there is currently no density assigned to Tract R.

Councilmember Radoccia moved to approve the Major Amendment and Zoning Reversion by adoption of the revised Land Use Summary as the approved development plan for Verde Valley Ranch and direction to staff to bring forward for Council review a revised development agreement. Councilmember Regner seconded the motion. The motion was approved unanimously.

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

- 1) **Mayor Von Gausig would like an agenda item to appoint a designee to represent him on the Public Safety Personnel Retirement Board; and**
- 2) **Utilities/Public Works Director Debrosky would like an agenda item to announce presentation of award to the Town for Project of the Year for Twin 5s project by WIFA.**

ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting at 7:37 P.M.

APPROVED:

ATTESTED/SUBMITTED:

Doug Von Gausig, Acting Mayor

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 11th day of February, 2014. I further certify that meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2014.

SEAL

Kathy Bainbridge, Town Clerk