

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, March 25, 2014**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 25, 2014, 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

Town Clerk/Finance Director Kathy Bainbridge

Community Development/Economic Director Jodie Filardo

Senior Planner Beth Escobar

Community Services/Human Resources Director Janet Perry

Community Services Supervisor Dawn Norman

Administrative Assistant Joni Westcott

Utilities/Public Works Director Wayne Debrosky

Utilities Supervisor Ellen Yates

Utilities Superintendent Mick McCullough

Utilities Project Manager Dennis Inman

Police Chief Randy Taylor

Deputy Clerk Mary Ellen Dunn

**PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

**There was no public comment.**

**CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Reports** - Approval of written Reports from Town Departments and Other Agencies
  - Capital Improvements Report – February, 2014
  - Water and Wastewater Report – January, 2014
  - Clarkdale Fire District Report and Mutual Aid Responses Report – February, 2014
  - NAIPTA Transit Report – February, 2014
  
- B. Resolution Adopting a Fair Housing Policy** – Approval of Resolution #1459, a

Resolution Adopting a Fair Housing Policy, Making Known its Commitment to the Principle of Fair Housing, and Describing Actions it Shall Undertake to Affirmatively Further Fair Housing.

- C. Proclamation Declaring April 6 to April 12, 2014 as Volunteer Appreciation Week** – Approval of a Proclamation declaring April 6 to April 12, 2014 as Volunteer Appreciation Week in the Town of Clarkdale.
- E. Second Amendment to Restated Development Agreement between the Town of Clarkdale and Freeport-McMoRan Corporation for Verde Valley Ranch** – Approval of a Second Amendment to Restated Development Agreement between the Town of Clarkdale and Freeport-McMoRan Corporation for Verde Valley Ranch.

Councilmember Regner pulled Item D.

**Vice Mayor Dehnert moved to approve Consent Agenda items A, B, C and E as presented. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

- D. Mayors Day of Recognition for National Service Proclamation** – Approval of a proclamation which is a national bipartisan effort to recognize the positive impact of national service in cities and towns, to thank those who serve, and to encourage citizens to give back to their communities.

The Mayors Day of Recognition for National Service will take place on Tuesday, April 1, 2014. The goal is to highlight the impact of AmeriCorps, Senior Corps, and other national service programs in tackling local problems and to thank national service members for their commitment and impact. Last year 24 Mayors in Arizona, and 830 Mayors in the U.S., helped kick off the first ever Mayors Day of Recognition for National Service.

The nation's mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to address city and town challenges at a time of fiscal constraint. The Mayors Day of Recognition for National Service is a national bipartisan effort to recognize the positive impact of national service in cities, to thank those who serve, and to encourage citizens to give back to their communities.

The Mayors Day of Recognition is sponsored by the Corporation for National and Community Service, the National League of Cities, Cities of Service, and the U.S. Conference of Mayors President Scott Smith.

The Corporation for National and Community Service (CNCS) is a federal agency that engages more than five million Americans in service through Senior Corps, AmeriCorps, the Social Innovation Fund and the Volunteer Generation Fund, and leads President Barack Obama's national call to service initiative, United We Serve.

Dawn Norman, Community Services Supervisor, introduced Shanna Smith, who accepted this recognition on behalf of Northern Arizona University senior programs and volunteers.

**Councilmember Regner moved to approve the Mayors Day of Recognition for National Service Proclamation. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.**

### **NEW BUSINESS**

#### **AWARD PRESENTATION BY THE WATER INFRASTRUCTURE FINANCE AUTHORITY OF ARIZONA (WIFA) TO THE TOWN OF CLARKDALE FOR THE CLEAN WATER AND DRINKING WATER PROJECTS OF THE YEAR FOR FY2013.**

The following is a press release from WIFA announcing the Award of Drinking Water and Clean Water WIFA Projects of the Year for FY2013 to the Town of Clarkdale:

Phoenix (February 21, 2014) - "The Water Infrastructure Finance Authority of Arizona (WIFA) announced today that the Town of Clarkdale was selected to receive both of WIFA's Project of the Year awards. This is the first time in WIFA's history that both the Clean Water (for wastewater infrastructure) and Drinking Water Project of the Year awards went to the same entity. A special awards presentation will take place at the Town of Clarkdale Council Meeting on March 25th.

The 2013 Clean Water Project of the Year was for Clarkdale's Broadway Reclamation Facility, a \$5.5 million infrastructure project to replace an outdated lagoon treatment system with a recycled and refurbished mechanical wastewater treatment facility. After it was determined that their original plans to construct a new plant were cost-prohibitive, Clarkdale officials decided to purchase and refurbish a decommissioned wastewater treatment plant from a subdivision in Surprise.

"What an incredibly innovative and sustainable solution to improve water infrastructure and protect water quality," said WIFA Board Chairman Henry Darwin, who is also Director of the Arizona Department of Environmental Quality. "Clarkdale staff really thought outside the box on this one and deserve this award."

The outdated lagoon system posed significant water quality threats to the adjacent Verde River, designated by Congress as a Wild and Scenic River. The new wastewater treatment plant is enclosed and eliminates any potential discharge to the Verde River. The project was selected based on the significant improvements made to protect water quality, the highly innovative practices employed and excellent project management.

The 2013 Drinking Water Project of the Year award was for Clarkdale's Twin 5s Water Main Replacement project. Clarkdale borrowed \$1.6 million from WIFA, which included \$800,000 in forgivable principal, to replace and relocate two above-ground 5-inch steel water mains.

The 90-year old exposed water mains were vulnerable to natural disasters and introduction of chemical or biological agents. By implementing these improvements, the Town of Clarkdale has eliminated the security risk and resolved operation and maintenance issues. The project was selected for the award based on Clarkdale's exceptional dedication to the project and the significant improvements made to protect public health.

"Because of WIFA's low interest rates and the forgivable principal awarded to Clarkdale, they were able to implement this project in a cost effective manner to benefit their residents," said WIFA

Executive Director, Sandy Sutton. “WIFA has saved Arizona’s communities millions of dollars over the terms of their loans and these savings benefit the utility ratepayers.”

WIFA maintains and improves water quality in Arizona by providing communities and private water systems with access to low-interest financial assistance and technical assistance needed for basic water infrastructure. WIFA’s Project of the Year awards are presented in recognition of exemplary project management and commitment to public health protection through the improvement of drinking water and wastewater infrastructure”.

Utilities/Public Works Director Wayne Debrosky recognized and thanked staff members Dennis Inman, Ellen Yates, Mick McCullough, Southwestern Environmental Consultants staff, members of Felix Construction, PTM, BC Land Group and WIFA staff members for contributions to the Wastewater Treatment Plant and Twin 5s projects.

Trish Incognito, WIFA Staff member, presented the two 2013 Projects of the Year Awards for the Wastewater Treatment plant project and the Twin 5s Water Line project and stated that the Town of Clarkdale was the first recipient in history to receive two awards in one year.

- 1) 2013 Wastewater Project of the Year award for the Broadway Water Reclamation facility – selected for the innovative approach to resolve a potential water quality threat to the Verde River by replacing the outdated plant with the refurbished plant; “the cost-effective and sustainable aspects of the project added to the appeal”. She stated that Wayne, Ellen and Kathy (Bainbridge) were responsive and pro-active throughout the loan process.
- 2) 2013 Drinking Water Project of the Year for the Twin 5s Water Main Replacement project – a critical project for the security of the Town’s water system. Town staff showed exceptional dedication and commitment throughout the construction project to protecting the public health of the citizens of Clarkdale by acting quickly to complete the project.

WIFA considered the Town staff’s existing workload and the dedication they exhibited in adding these two projects to that workload when awarding these projects.

Mayor Von Gausig congratulated staff and recognized Debrosky for his work from the inception of these two projects. Describing the two projects the Mayor stated the Twin 5s project was in the planning stages for a long time and the new wastewater treatment plant now produces A+ effluent that gives us a 30% increase in water without withdrawing any more from the ground or harming the Verde River.

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

**YAVAPAI COLLEGE 10-YEAR CAMPUS MASTER PLAN** – Presentation and update from Yavapai College relating to the College’s 10-Year Campus Master Plan; Discussion Regarding Recent Community Interactions Relating to the Plan; and, the Engagement Processes Available for the Town of Clarkdale and Others as the College Continues to Consider the Plan and Its Implementation.

Following a presentation of a proposed timeline, estimated costs and financing options, the Yavapai College District Governing Board (DGB) voted 4-1 to approve a new 10-year Campus Master Plan for the College at the Board’s regular monthly meeting on Tuesday, December 10, 2013. Yavapai College staff estimated that the total cost of implementing the 2014-2023 plan would be \$103.8

million. It's projected that the College would fund \$48.4 million from the sale of existing College properties that are not part of the 10-year plan, College savings, current gifts and grants. The remaining \$55.4 million would come from partnerships with area businesses, property tax levy increases, new grants, additional private gifts and revenue bonds. In the motion that passed, the Board directed College staff to review the previous 10-year plan to determine what worked, what didn't and why, and report its findings to the Board

Council Member Bill Regner asked that this item be placed on the Clarkdale Town Council agenda in response to two overriding concerns:

- Since the District Governing Board's adoption of the Campus Master Plan, concerns have been raised in the Verde Valley about the disparity of resources dedicated between the campuses in the great-Prescott area and those in the Verde Valley.
- Recent community discussions in the Verde Valley highlight a recognition that there needs to be a serious level of engagement with the Verde Valley communities, citizens, businesses and Yavapai College in order to build trust and a vision for our campuses and curriculum in our area.

Today's agenda item is scheduled for a presentation and update. We anticipate a presentation from Yavapai College relating to the College's 10-Year Campus Master Plan followed by a discussion regarding recent community interactions relating to the plan. Additionally, Council Member Regner would like to see a discussion between the Council and the College representatives relating to engagement processes available for the Town of Clarkdale and others as the College continues to consider the plan and its implementation.

At Council Member Regner's request, the Verde Valley's two District Governing Board Members have been invited to attend the Council Meeting (Yavapai College President Dr. Penny Wills was unable to attend due to a scheduling conflict). The following brief information is provided on our invited speakers:



Herald Harrington  
[Herald.Harrington@yc.edu](mailto:Herald.Harrington@yc.edu)  
Board Spokesman, District 2

Representing: Aqua Fria, Beaver Creek, Camp Verde 1 and 2, Canyon, Cherry Creek, Cordes Lakes, Cornville, Crown King, Humboldt, Mayer, Middle Verde, Montezuma, Prescott Country Club, Stoneridge, Sugarloaf and Verde Lakes.

Appointment Expires: December 31, 2014  
District 2 Representative will then run for a 2-year term.



Albert Filardo  
[Albert.Filardo@yc.edu](mailto:Albert.Filardo@yc.edu)  
Board Member, District 3

Representing: Big Park, Bridgeport 1 and 2, Clarkdale, Clemenceau, Coffee Pot, Cottonwood, Fir, Jacks Canyon, Jerome 1 and 2, Mingus, Orchard, Quail Springs, Red Rock 1 and 2, Red Rock East, Red Rock West, Verde Village, Western, and Wild Horse.

Council Members who are interested in additional information relating to the Yavapai College Campus Master Plan can follow the links below:

Yavapai College Campus Master Plan Summary, November 2013:

<http://www.yc.edu/v5content/district-governing-board/sub/2013/11/Yavapai%20College%20Campus%20Master%20Plan%20Summary%201112.pdf>

Campus Master Plan – Part 2 – Presented to District Governing Board in December, 2013:

<http://www.yc.edu/v5content/district-governing-board/sub/2013/12/Campus%20Master%20Plan%2012-13final.pdf>

Herald Harrington from Yavapai College presented information about the 10-year Master Plan and what decisions have already been made by the Board. The College hired the Smith Group to help them research and make decisions about how to meet the education needs of the students. Mr. Harrington discussed technology based education versus classroom based education and current increase in online classes. Also discussed dual-credit programs for the high school students. Students can earn college credits while taking the courses in high school for no fee. He also stated that Yavapai College Library comprises 20% of the Yavapai County Library system. Mr. Harrington addressed the Nursing Program question and stated that in total there would be approximately 20 students that will need to get to Prescott for two semester twice a week. He believes that there is a workable solution to that issue.

Dr. Clint Ewell, Vice President of Finance and Administration, discussed projections and trends.

Al Filardo, appointed Governing Board Member for District 3, discussed his preference for emphasis on education rather than a focus on a 10-year plan that is subject to change and presented information on the state of education in the U.S. today.

Mayor Von Gausig expressed agreement with the opinions of Filardo, noting the turmoil expressed by citizens around the 10-year Master Plan which isn't "cast in stone". He expressed that there are real problems to deal with that need the focus. Also noted appreciation for an agricultural/viticulture programs and the focus on low-water usage.

Vice Mayor Dehnert asked what type of larger agricultural program Mr. Harrington envisioned for the Verde Valley campus. Harrington stated that primarily the viticulture program would take up a major portion of the program, but also smaller organic production was considered.

Councilmember Radoccia said that though he feels the Master Plan is important, the big picture is most important and expressed appreciation for Filardo's "big picture" thinking. The Master Plan, he stated, will be the means to getting to the "big picture".

Councilmember Regner expressed appreciation for the presentation and commented on past experience with the Yavapai College Foundation Verde Valley Chapter before its dissolution.

Councilmember Bohall stated that perhaps the people in public relations missed opportunities to get appropriate messages to the media. He noted that his experience around Town has been that the public has misperceptions about what is happening at the College.

Vice Mayor Dehnert commented on the consulting firms used to develop the process leading up to the 10-Year Plan stating that they were not efficient in doing the job of engaging the public.

**Ruth Wicks, Clarkdale resident**, informed the Council and public that a committee is being formed called Verde Valley Community College Advisory Committee and they are hoping to sit down with the college officials to discuss ideas that they believe would be important to the Verde Valley Campus of Yavapai College.

Mayor Von Gausig suggested Ms. Wicks might benefit from a longer discussion about this Committee and Ms. Wicks agreed to wait for a future date to present this additional information.

**This is a presentation and update only and no action is required by the Council.**

**Mayor Von Gausig called for a 5-minute recess. Session reconvened at 4:48 p.m.**

**LIBRARY SUPPORT AGREEMENT WORKSESSION** – A worksession to discuss a move from the Town's existing Yavapai County Free Library District Library Service Agreement to a Library Support Agreement.

Historically the Town of Clarkdale has maintained an annual Library Service Agreement with the Yavapai County Free Library District (YCFLD or District) for services and monetary funding. During this time the other 6 area incorporated city/town public libraries (Camp Verde, Chino Valley, Cottonwood, Prescott, Prescott Valley and Sedona) had Intergovernmental Agreements (IGAs) with the District for services and funding. As of 2011 the District assumed oversight and operations of the Yavapai Library Network (YLN), a consortium of 42 public, academic, K-12 and special libraries; IGA's were then replaced by Library Support Agreements, except for Clarkdale and Jerome (who continued with their Library Service Agreements). A revised formula for monetary funds allotted to the incorporated public libraries was put into effect for funding year 2012/2013. During that year Clarkdale and Jerome's funding remained the same. For funding year 2013/2014 Clarkdale and Jerome were included in the formula with the other incorporated city/town libraries. While Clarkdale did receive an increase by that formula, each year the funding will change depending on the statistical information collected.

As described above, for many years the YCFLD has afforded separate funding considerations to both Clarkdale and Jerome on the basis that both of their libraries have limited staffing and resources. To accomplish this the District has been including these two libraries as part of their 'small rural unincorporated community library' group; a group structured to receive increased levels of services and funding while other incorporated city/town libraries have supported their own libraries for services

and funding for daily operational costs. Throughout this time Clarkdale and Jerome are the only two incorporated Town libraries receiving additional YCFLD support which has included the following equipment and services:

1. Two staff computers and barcode scanners – including the hardware and software
2. Two receipt printers and supplies (paper and ribbon)
3. Two label printers and supplies
4. Two RFID stations – includes RFID equipment and Circuit software
5. Eight public computers – including the hardware and software
6. Color printer
7. Wi-Fi equipment
8. Server and DSL Router/Modem
9. The required filtering software to comply with ARS §34-502(B) (1) and (2) and as defined under ARS §34-501 Children's Internet Protection Act (CIPA)
10. The equipment required for the filtering system: Bluesocket and Barracuda
11. IT services to maintain, update and repair all IT/Computer equipment
12. Yavapai County Library Network Membership Fee
13. Miscellaneous Supplies – patron library cards, book barcodes and labeling tapes, CDs and cases, overdue notices and envelopes, RFID tags and interlibrary loan book sleeves.
14. Professional assistance and consultation services, representation at YLN meetings, continuing education opportunities and trainings for staff and volunteers, and coordination of county-wide library services.

The YCFLD can no longer continue this level of support to the Clarkdale and Jerome libraries. As a result, to continue receiving support and funding from the YCFLD beyond June 30, 2014, the Town of Clarkdale, on behalf of the library, will need to enter in to a Library Support Agreement. By doing so, going forward the Clark Memorial Library will be included in the same funding formula applied to other incorporated city/town libraries.

On January 28, 2014, Community Services Supervisor Dawn Norman met with representatives from the Library District to discuss the changes anticipated for FY 14-15 and their impacts to the Clark Memorial Library. The District presented the complex material in a straightforward manner in order for the Town to be best informed when making subsequent decisions. This material also included a proposal of options.

Given all of the related changes, the particulars involved with the new Library Support Agreement, and regardless of the technology support option ultimately decided upon, the Town will keep and become owners of the following equipment currently in the library:

- Two staff computers and barcode scanners
- Two receipt printers and supplies
- Two label printers and supplies
- Eight public computers
- Color printer

However, ownership of the above items will bring a new responsibility to the Town for costs of repair, maintenance and/or replacement of this equipment.

The following fees and services will no longer fall under District funding or support, and also result in additional costs to the Town:

- YLN membership fees

- IT/Computer service and support
- Internet service
- Equipment/Hardware/Software Maintenance Fees - Monthly
- Computer and equipment parts
- Computer and equipment replacements
- PC warranties
- Battery back-ups/replacements
- Misc. Office/Shelving Supplies

With maintaining YLN membership, Clarkdale's library will continue receiving membership benefits which include: online catalog system/software, online databases for e.g. Overdrive for eBooks and Audio books, the circulation system/software used by all of the YLN libraries, professional assistance and consultation services, continuing education opportunities and trainings for staff and volunteers, and coordination of county-wide library services.

The Town has the option to continue having the District provide the IT/Computer service on a fee basis, or can choose to hire an IT service provider of choice. Should the Town choose to remain with the District for IT/Computer services, all equipment and software in the Library will remain as is. To provide these services the District is offering 4 tiers of service, on a pre-paid basis. If the Town does not utilize all of the hours defined in the tier purchased, those hours would rollover to the next year. If the Town chooses not to continue with IT/Computer support from the District, the impact will be:

- All Microsoft licenses will be removed from all computers
- Equipment that will be removed from the library:
  - Server
  - Bluesocket for patron authentication
  - Wi-Fi antennae
  - Barracuda for filtering
  - RFID Equipment
  - DSL Router/Modem
- The Town will be responsible to purchase:
  - Microsoft Licenses
  - Filtering software to comply with ARS §34-502(B) (1) and (2) and as defined under ARS §34-501 Children's Internet Protection Act (CIPA)
  - Equipment required for the filtering system

If the Town were to move forward keeping all described services and equipment as-is and in place, the estimated cost associated would be \$5,474.47 for the FY14-15. However, this figure does not include IT/Computer Services, PC Warranties, Computer and equipment parts and replacement, and battery back-up replacements. Staff is working to determine an estimate of these costs.

**Note: none of the changes being presented affect the annual contribution the Town receives from Yavapai County for library operations; this is separate funding which will continue.** However, beginning July 1, 2014 this funding amount also will be calculated each year with the same formula used to determine the distribution amounts for all incorporated city/town public libraries. (For your information Clarkdale received: in FY 13-14 \$37,752.02; in FY 12-13 that amount was \$30,613.)

Along with staff, representatives from the Yavapai County Free Library District and the Yavapai Library Network will be co-facilitating this worksession. Both guests are present to offer their expertise to Council in an effort to fully address questions and provide clarity of the many related details.

Dawn Norman, Community Services Supervisor introduced the Yavapai County Free Library District staff thanked them for their continuing support. Barbara Kyle, Library District Director, Cory Christians, Network Manager, and Priscilla Phelps, District Office Manager, and Jim Loman, IT Team Services were present from the district to assist in the presentation.

Mr. Christians presented a power point to illustrate the district's proposal and formula used to determine what each library receives from the district.

Mayor cited system illness "success to the successful": The system that gets the money can afford to perform better; the systems that need more money are deprived because they are not getting money. Mr. Christians replied that this was the reason that the formula used was not based solely on performance considerations.

If Clarkdale were to enter into the IGA with the District it would receive approximately \$35,967. The District is also willing to provide contracted support for technology assistance in order to prevent a disruption in service. Mr. Loman provided information on the technology services that would be provided.

Town Manager Mabery stated that Clarkdale and Jerome are the smallest incorporated libraries and have been treated differently for a long time. Mabery asked why it is that we have been treated differently and why the change at this time.

Ms. Kyle stated that the Town of Clarkdale was pretty much treated as a branch in the past. The change relates to how cities and towns are defined –incorporated or unincorporated. In 1987 when district was formed it was based on the resources of the municipality. The switch had to happen when County resources became tight.

Mayor asked for further clarification. Ms. Norman stated that branch libraries are staffed by Yavapai County employees and run by the District and affiliates are staffed at municipality expense and are independent organizations.

Vice Mayor Dehnert asked Finance Director Bainbridge how this affects us in relation to budget. Ms. Bainbridge stated there hasn't been an opportunity to work the real numbers yet. It appears we would still be getting the same amount of money as we have in the past but will have additional expenditures dealing with IT/technology issues, purchasing new equipment, etc. In the past these expenditures were made by the district. Ms. Norman noted that if we don't contract with the county they will take that equipment previously given, i.e., computers. She also commented that the figures do not include the licensing fees for the RFID stations that we would be responsible for at \$1400/year.

Councilmember Regner and Town Manager Mabery questioned how the Town is to be defined and wondered what distinguishes a rural library. Maybe the classification should be rural or non-rural libraries.

Mayor Von Gausig stated that the discussion and questions the Council has should be presented to the Yavapai County Board of Supervisors.

Ms. Kyle stated that the IGA takes place July 1<sup>st</sup> and Vice Mayor Dehnert ask what choices we are being asked to make. Ms. Kyle replied we would decide whether we want to keep district on for technological support.

**This is a worksession only and no action is required by the Council.**

**PUBLIC HEARING REGARDING A CHANGE TO UTILITY (WATER, WASTEWATER & TRASH) DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES** – a public hearing to gather information regarding a change to 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.

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 was adopted by the Council on February 11, 2014 and published in the newspaper on February 23, 2014.

- |                   |  |
|-------------------|--|
| December 16, 2013 | Post Notice of Intent to Impose or Increase Fees or Taxes<br>(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.<br>(Not less than 20 days prior to the public hearing.)                          |
| March 25, 2014    | Hold Public Hearing & Consider Adoption of Rates by Resolution.<br>(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 Director Debrosky presented information on this agenda item.

Mayor Von Gausig opened the discussion for public comment. There was no public comment.

**This is a public hearing. No council action is required.**

**RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AMENDING RESOLUTION #1458, CHANGING UTILITY (WATER, WASTEWATER & TRASH) DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES FOR THE TOWN OF CLARKDALE - Discussion and consideration of Resolution #1460, a resolution changing delinquency and disconnection for non-payment dates for water, wastewater and trash.**

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 was adopted by the Council on February 11, 2014 and published in the newspaper on February 23, 2014.

- December 16, 2013 Post Notice of Intent to Impose or Increase Fees or Taxes
- 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.
- March 25, 2014 Hold Public Hearing & Consider Adoption of Rates by Resolution.
- April 25, 2014 Rates become effective 30 days after the adoption of the Resolution.

**Councilmember Bohall moved for the approval of Resolution #1460, a RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AMENDING RESOLUTION #1458, CHANGING UTILITY (WATER, WASTEWATER & TRASH) DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES FOR THE TOWN OF CLARKDALE. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE MAKING CHANGES TO THE CLARKDALE TOWN CODE, CHAPTER 19-9-6 (A), (C) & (E) WATER UTILITY, DELINQUENT BILLS; BY CHANGING DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES, REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration regarding Ordinance #360 which changes the delinquency and disconnection for non-payment dates of the Water Utility.**

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.

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.

The process to change utility fees or components thereof has been followed and completed with the previous two agenda items. The change to the ordinance language reflects those council approved changes adopted by Resolution 1460.

**Councilmember Regner moved for the approval of Ordinance #360, an ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE MAKING CHANGES TO THE CLARKDALE TOWN CODE, CHAPTER 19-9-6 (A), (C) & (E) WATER UTILITY, DELINQUENT BILLS; BY CHANGING DELINQUENCY AND DISCONNECTION FOR NON-PAYMENT DATES, REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

**A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED: "PARK AND RECREATION FACILITIES CODE".** – Discussion and consideration of Resolution #1461, declaring as a public record that certain document filed with the Town Clerk and entitled: "Park and Recreation Facilities Code".

In April 2013, the Town of Clarkdale secured a river access location in the historic TAPCO (The Arizona Power Co. plant) area north of Clarkdale from Freeport-McMoRan Copper & Gold Inc. The License Agreement designated a 90-acre site and allowed the Town of Clarkdale to use the property for Verde River access for public recreation and education purposes. Intended uses included the development of access drives, parking and trail facilities, restrooms, fencing, modest shade structures, and other facilities that are desirable for a day-use recreational facility.

In February 2014, before opening the site to use by the public, representatives of the Town of Clarkdale discovered a nesting pair of Bald Eagles at the 90-acre site. The Town of Clarkdale is excited about the discovery and committed to working with Freeport-McMoRan and the Arizona Game and Fish Department to limit potential impacts to the breeding cycle of the eagles. The Town of Clarkdale has received approval from Freeport-McMoRan to relocate the access point within a new license area located downstream on the Verde River to limit potential impacts to the eagles.

The new site, called the Lower TAPCO River Access Point (Lower TAPCO RAP), is located on approximately 110 acres on Sycamore Canyon Road, roughly 2.3 miles north of Tuzigoot Road. The Lower TAPCO RAP will still serve as the upper anchor on the Verde River @ Clarkdale project, and will provide boaters with a 3.3-mile float trip between this site and the Tuzigoot RAP. The Lower TAPCO RAP will be included in a Master Planning process that the Town of Clarkdale will undertake in May 2014 to involve the public and other stakeholder groups in a process to define the improvements desired on this and other the Verde River @ Clarkdale sites.

When planning for the TAPCO RAP began last year, the Town's intent was to keep the area closed to the public until site improvements could be built and a comprehensive site host and operations plan could be put into place. Access management was achieved through the installation of a gate at the entry road location, strategic placement of boulders and signage at wash sites where trespassing was most prevalent.

Access control at the Lower TAPCO RAP will be more challenging. Although this private property has been posted as "No Trespassing" for years, the land owner has struggled to prevent people from trespassing on the property in order to access the river. Although no fencing has been used, the landowners has taken a series of steps, including trenching and berming, in order to prevent unauthorized vehicle access. The breadth of the site, along with its proximity to Sycamore Canyon Road, make it an easy target for people to drive cross country to access the site and the river. This type of access leads to negative impacts to natural vegetation and wildlife (including loss of habitat), causes erosion and can introduce invasive species to the site. While there are some instances on the site of dumping garbage and other forms of vandalism, the greatest challenge is unauthorized vehicle access on the site.

The Town of Clarkdale plans to begin some special events and licensed activities on the site this spring. Most notably, the Town of Clarkdale is in the process of issuing a Special Use Permit to an outfitter who will begin offering commercial kayak tours on the river soon. In addition, Lower TAPCO RAP will be the launch point on April 19 for the Verde River Poker Run. With these uses imminent, the Town Council prioritized the opening of the Lower TAPCO RAP to the general public during their recent Strategic Planning worksession, and asked the Staff and the Parks and Recreation Commission to put forward recommendations for Rules for Use so that the public has a clear understanding of the expectations on the site. With the adoption of rules of use, the Town Staff will also have enforcement authority in cases where rules are violated. (Although the Lower TAPCO RAP is outside the municipal boundaries of the Town of Clarkdale, A.R.S. 9-401 provides that a city or town may lease land outside its corporate boundary, and any violation of an ordinance of the city or town occurring on that land is subject to the city or town's control to the same extent as if it were in the city or town.)

While the Town will be moving rapidly to set up a Park Host program for the Lower TAPCO RAP (which will allow for an on-site presence of volunteers at the site), there will be an interim period of time where the site will not have the presence of staff or volunteers on a regular basis. Town staff is recommending that the site be posted immediately with rules for use, and be designated as a fee area, so that the public is well aware of the rules for use and the intent for user fees to help offset the cost of site improvements and maintenance.

The Clarkdale Parks and Recreation Commission met on March 12, 2014 and took a tour of the Lower TAPCO RAP. Following the tour, the Commission discussed and recommended a set of rules for the initial opening of that site. After reviewing the Parks and Recreation Commission's recommendations, and further reviewing the Town Code, Town Staff felt strongly that any revisions to the Town Code needed to be comprehensive enough to outline rules of use of other Clarkdale parks and recreation facilities. As a result, the Town Staff have prepared an ordinance that, if adopted, will add a new Chapter to the Town Code, relating to Parks and Recreation Facilities. Although the Parks and Recreation Commission has not had the opportunity to review this ordinance as drafted, it does incorporate the majority of the rules that they discussed during their meeting relating to the Lower

TAPCO RAP. Additionally, the Commission was advised that the input they provided at their March 12<sup>th</sup> meeting would be used as the basis for staff to draft an ordinance for the Town Council's consideration.

The following are the recommended rules that were discussed by the Parks and Recreation Commission relating to the Lower TAPCO RAP:

1. Fee Area—Fees collected at this site will help offset the costs of keeping it open to the public and making future improvements. The fees for the area are designated by resolution of the Clarkdale Town Council. *(This provision is included in Section 12-1-21 and will require the Parks and Recreation to consider and recommend appropriate future fees for the Lower TAPCO RAP at a later date...initially)*
2. Hours of Operation—This is a day-use facility. *(This provision is included in Section 12-1-2)*
3. Pack It In/Pack It Out—Keep this area litter free. Pack out any litter that you create, and properly dispose of it in refuse containers. *(This provision is included in Section 12-1-13)*
4. Tread Lightly – Vehicles must drive on designated roadways and parking areas only. *(This provision is included in Section 12-1-3)*
5. Fishing - Fishing is permitted in accordance with State regulations, including the need for proper fishing licenses. *(This provision is included in Section 12-1-20 C)*
6. Cooking – The use of propane or gas flame-producing barbecue cooking devices is allowed as long as they are attended and in an enclosed device. *(This provision is included in Section 12-1-7)*
7. Pets. Pets must be kept on a leash at all times. Always clean up after your pets and dispose of waste in appropriate trash receptacles. *(This provision is included in Section 12-1-15)*
8. Prohibited Activities – The following activities are prohibited at this site:
  - Off Road Vehicle Travel *(This provision is included in Section 12-1-3)*
  - Driving Vehicles in the Verde River *(This provision is included in Section 12-1-3)*
  - Hunting *(This provision is included in Section 12-1-20)*
  - Trapping *(This provision is included in Section 12-1-20)*
  - Discharge of Firearms *(This provision is included in Section 12-1-10)*
  - Campfires *(This provision is included in Section 12-1-7)*
  - Fireworks *(This provision is included in Section 12-1-10)*

In addition to the list of rules, the Commission identified a number of principles that will be important for the management of the site, and encouraged the staff to develop a brochure that will be available on the site and from Town staff and volunteers as a public education tool. The principles discussed by the Parks and Recreation Commission included:

- Respect Wildlife – Observe wildlife from a distance using binoculars or cameras. Never feed wildlife. Avoid wildlife during sensitive times, such as when they are breeding, nesting or raising young. *(This provision is included in Section 12-1-20)*
- Respect and our Natural and Cultural Heritage – Preserve the past; examine but do not remove cultural or historic artifacts. Leave rocks, plants, animals and other natural objects as you found them. *(This provision is included in Section 12-1-9)*
- Keep This Area Litter Free - If you see someone else's litter, please pick it up! *(This provision is included in Section 12-1-13)*

- **Respect Private Property**—Much of the adjacent land is private property. When floating downstream, enter and exit the river at designated launch sites only. See posted site map for Lower TAPCO RAP boundaries.

There are several provisions in the proposed ordinance which were either not discussed by the Parks and Recreation Commission, or were not recommended. While the following provisions were not discussed by the Parks and Recreation Commission, after review of other standard Parks and Recreation Facility ordinances, staff feels that these provisions merit inclusion in Clarkdale's ordinance:

Section 12-1-4 Horses and Other Riding Animals

Section 12-1-5 Non-motorized Vehicles – Roller Skates – Skateboards – Roller Blades

Section 12-1-8 Smoking

Section 12-1-11 Golfing at Parks and Recreation Facilities

Section 12-1-16 Prohibited Substances (if this section is included as written, staff will ask the Parks and Recreation Commission to further consider and recommend whether to exempt the Lower TAPCO RAP from the alcohol restriction that is listed in the ordinance)

Section 12-1-17 Distribution or Sale of Food, Beverages or Other Items

Section 12-1-18 Parks, Trails and Recreation Area Closure

The Commission did have a discussion relating to glass containers (Section 12-1-12) and did not recommend a restriction be included at this time. There was a general sentiment expressed by the Commission that the posting of too many rules might reduce the public's adherence simply because they wouldn't take the time to read lengthy signage at the site. In general, staff agrees with this principle, but feels that it is more of a signage issue than an issue of what rules are included in the ordinance. Signage at the various sites will be adapted to best fit the environment and enforcement needs of the particular park. Not all parks will have signage that references every rule in the code, and the signage that is used won't use the exact verbiage from the code. For example, while Section 12-1-13 and 12-1-14 prohibit littering and dumping, it's most likely that signage in river areas will be developed using the "Pack It In / Pack It Out" logos instead of the specific language from the ordinance.

As written, staff believes this draft Parks and Recreation Facilities Code provides general applicability that can be used in all of our facilities, while allowing for flexibility to adapt rules to the particular needs of specific parks.

Adoption at this time will allow for the basic rules of use to be established. Staff intends to bring this ordinance back to the Parks and Recreation Commission for additional review, specifically as it relates to reservation of park facilities and other issues that may arise in the future.

The ordinance pertaining to this item has been drafted with emergency clause so that it will become immediately effective upon adoption. To be adopted by an emergency clause, the ordinance will require a three-fourths vote of the Council.

Town Manager Mabery presented information on this agenda item.

Mayor noted that he liked the completeness and adaptability of the ordinance.

Vice Mayor Dehnert asked what would be required for posting as stated in Section 12-1-2 Hours of Use. Would it be a matter of an administrative decision or would it require Council approval? Ms. Mabery replied that it could be done administratively but her preference would be that for any particular park sites, if hours of day use would vary, a resolution would be issued by the Council to establish a record of the action.

Councilmember Radoccia asked about Section 12-1-4 regarding the Horses and Other Riding Animals section. Mabery noted that equestrian use is only if the area has been posted for that use. If there is a community desire to have certain uses there need to be management decisions to accommodate that. There are safety issues that arise in addition to the use issues.

**Councilmember Regner moved for the adoption of Resolution #1461, A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED: "PARK AND RECREATION FACILITIES CODE. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.**

**AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "PARK AND RECREATION FACILITIES CODE" REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ADOPTING BY EMERGENCY MEASURES – Discussion and consideration of Ordinance #359, an ordinance adopting by reference Articles 12-1-1 through 12-1-21 titled "Park and Recreation Facilities Code".**

This ordinance adopts the document made a public record by Resolution #1461.

The ordinance has been drafted with emergency clause so that it will become immediately effective upon adoption. To be adopted by an emergency clause, the ordinance will require a three-fourths vote of the Council. As part of the consideration, the Town Clerk will record a roll call vote.

**Councilmember Radoccia moved to approve the Ordinance #359, AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED "PARK AND RECREATION FACILITIES CODE" REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ADOPTING BY EMERGENCY MEASURES. Vice Mayor Dehnert seconded the motion. A roll call vote was taken.**

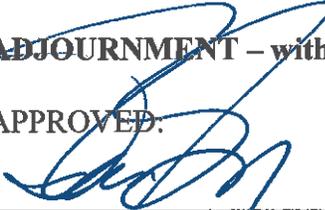
<u>Aye</u>	Council Member Bohall
<u>Aye</u>	Vice Mayor Dehnert
<u>Aye</u>	Council Member Radoccia
<u>Aye</u>	Council Member Regner
<u>Aye</u>	Mayor Von Gausig

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

- Yavapai College to be asked to return for another worksession
- Yavapai County Free Library District to be asked to return for another worksession

**ADJOURNMENT – without objection, Mayor Von Gausig adjourned the meeting at 5:49 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 25<sup>th</sup> day of March, 2014. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 9 day of April, 2014.

SEAL

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