

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, May 27, 2014**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, May 27, 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  
Community Development/Economic Director Jodie Filardo  
Community Services/Human Resources Director Janet Perry  
Community Services Supervisor Dawn Norman  
Utilities/Public Works Director Wayne Debrosky  
Police Chief Randy Taylor  
Deputy Clerk Mary Ellen Dunn

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

**There was no public comment.**

**PRESENTATION OF COMMENDATION and CERTIFICATE OF APPRECIATION** – presentation of a Commendation to Sargent Troy Smith and Rebecca O'Banion with a Certificate of Appreciation for their work on the COPS - School Resource Officer Grant.

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

- A. **Reports** - Approval of written Reports from Town Departments and Other Agencies
- Building Permit Report – April, 2014
  - Capital Improvements Report – April, 2014
  - Magistrate Court Report – April, 2014
  - Water and Wastewater Report – March, 2014
  - Clarkdale Fire District Report and Mutual Aid Responses Report – April, 2014
  - Police Department Report – April, 2014
  - NAIPTA Transit Report – April, 2014

**Councilmember Regner moved to accept Consent Agenda item A as presented. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.**

### **NEW BUSINESS**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA RESCINDING RESOLUTION #1465, COMMITTING LOCAL FUNDS AS LEVERAGE FOR FY 2014/15 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION(S) – Discussion and consideration of Resolution #1467, a Resolution rescinding Resolution #1465 which committed local funds for the CDBG FY 2014/15 funding cycle.**

The Town of Clarkdale has been approved to receive \$266,693.00 in CDBG funding for FY 2014/15. At the January 14, 2014 Council Meeting the Town Council approved Resolution #1453 setting project priority which allowed staff to move forward with the FY 2014/15 funding application to CDBG. Resolution #1453 was passed by Council at that meeting directing staff to submit a funding application with two projects for funding. The two projects that were identified and approved under RESOLUTION #1463 were:

1. Town of Clarkdale Clubhouse Complex ADA upgrades in the amount of \$236,219.00
2. The purchase of a shade structure for the Cottonwood Senior Center in the amount of \$28,000.00.

The above amounts were based on the original estimated amount of \$264,219.00 in funding available. When NACOG announced final funding allocations this amount had increased to \$266,693.00 an increase of \$2,474.00.

The preliminary estimate for the ADA upgrades to the Clubhouse Complex was \$260,000.00 which represents:

- Upgrades to the Auditorium restrooms (2).
- ADA upgrades to the Men's Lounge men's restroom and the addition of an ADA compliant ladies restroom.
- ADA upgrades to the Ladies Lounge restroom with a conversion to a uni-sex restroom.
- Replacement of the main front door into the auditorium with a new door that is ADA compliant with an auto opener mechanism.
- Installation of an ADA ramp to the auditorium front entrance.

The following is a breakdown of how the adjusted total funding amount of \$266,693.00 is reduced by various fees and commitments:

Starting amount	\$266,693.00
NACOG filing fee	<u>-5,000.00</u>
Total Balance	\$261,693.00

Please note that this Clubhouse Complex upgrades will be competitively bid which could result in lower project costs. If the scope for these upgrades exceeds the available funding the scope can be reduced by removing the upgrades to the Ladies Lounge restroom and completing those upgrades at a later date in-house.

On April 22, 2014 Town Council approved RESOLUTION #1465 updating our application and indicating that \$35,000.00 will be committed by the Town of Clarkdale as leveraged funds, in the form of **cash or resources** to be used to implement Town of Clarkdale ADA Upgrade/

Improvements: and whereas, the CDBG Program requires that all local leveraged funds/resources be committed in the form of a resolution by the governing body; and that such a commitment contain an opinion by the applicants legal counsel that the leveraged funds represent a binding commitment, legally enforceable under State laws. NACOG required that the Town of Clarkdale pass RESOLUTION #1465 directing the Town to leverage funds, in the amount of \$35,000.00, to cover any project funding shortfalls due to the inclusion of the Cottonwood Senior Center project request in our original project priority list.

Since passing RESOLUTION #1465 the Town of Clarkdale has been contacted by Isabel Rollins with NACOG, who recommended that the Town of Clarkdale consider removing the Cottonwood Senior Center request for \$28,000.00 to purchase a shade structure from RESOLUTION #1453, and to fund the shade structure directly with Town funds in the amount of \$28,000.00. This would eliminate the CDBG requirements for an environmental review of the project site, and for this project to pay Davis Bacon Wages. In addition, administration charges, recording keeping requirements, and project close out costs would leave this project underfunded and not feasible.

NACOG indicated that since RESOLUTION #1453 lists the ADA Improvements to the Club House as our number one priority and the Senior Center Ramada as our second highest priority project, so there is no need to revise RESOLUTION #1453. Since RESOLUTION #1465 committed \$35,000.00 in Town funds to this project, if the Senior Center Ramada Project is not funded by CDBG funding, the Town Council should rescind RESOLUTION #1465 because the resolution leveraging funds is no longer required by CDBG.

Utilities/Public Works Director Debrosky presented information on this agenda item.

**Councilmember Radoccia moved for the approval of Resolution #1467, a Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona Rescinding Resolution #1465, Committing Local Funds as Leverage for FY 2014/15 Community Development Block Grant Application(s). Councilmember Bohall seconded the motion. The motion was approved unanimously.**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA EXEMPTING LOWER TAPCO RIVER ACCESS POINT FROM THAT PORTION OF SECTION 12-1-16, PARK & RECREATION FACILITIES - PROHIBITED SUBSTANCES, OF THE CLARKDALE TOWN CODE RELATING TO ALCOHOL – Discussion and consideration of Resolution #1468, exempting Lower TAPCO River Access Point from Section 12-1-16, Park & Recreation Facilities - Prohibited Substances, of the Clarkdale Town Code relating to alcohol.**

On March 25, 2014, the Town Council adopted Ordinance #359, an ordinance adopting by reference Articles 12-1-1 through 12-1-21 titled "Park and Recreation Facilities Code". At that time, Town Manager Gayle Mabery noted that several provisions were not discussed by the Parks and Recreation Commission because of the urgency to have rules established prior to the opening date of the Lower TAPCO River Access Point. It was intended that the Commission would give further review to the adopted rules and make recommendations for the adaptation of rules to the particular needs of specific parks.

On April 9, 2014, the Parks and Recreation Commission reviewed Section 12-1-16 Prohibited Substances of Chapter 12 Parks and Recreation Facilities of the Clarkdale Town Code. The

Commission has recommended that the Town Council approve a resolution to exempt the Lower TAPCO River Access Point from Section 12-1-16 Prohibited Substances of Chapter 12 Parks and Recreation Facilities of the Town Code and to allow the use of alcohol at the site.

Notably, Section 12-1-12 of the Parks and Recreation Facility Code already prohibits glass containers in Parks and Recreation facilities. If the Town Council supports the resolution as outlined, the prohibition on glass containers remains in effect. Additionally, all Arizona and other local ordinances and regulations relating to alcohol remain in effect (i.e. any sales of alcohol or use of alcohol at a special event would need further approvals; etc.).

Community Services Supervisor Dawn Norman presented information on this agenda item.

Discussion followed about signage, special events, and contact information in case of observed violations. Town Manager Mabery noted that hiring Verde River ambassadors would provide assistance on site during the park's open hours. She further stated that the situation is a new one and as time goes on we will need to adapt to situations as they arise.

Councilmembers Bohall and Regner addressed concerns regarding littering. Mabery noted that at the time the park opens there will be trash receptacles at a centralized location. The resolution may be rescinded in the future if unforeseen problems warrant.

Mayor Von Gausig opened the discussion to public comment.

David Perrell, Clarkdale resident, stated he was initially against the resolution, expressing that the nature of the site is a quiet place to enjoy nature, however, if the site is gated and has the presence stated by staff, he expressed he would be more favorable toward the policy.

**Councilmember Bohall moved NOT to approve Resolution #1468, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA EXEMPTING LOWER TAPCO RAP FROM THAT PORTION OF SECTION 12-1-16, PARK & RECREATION FACILITIES - PROHIBITED SUBSTANCES, OF THE CLARKDALE TOWN CODE RELATING TO ALCOHOL. Councilmember Regner seconded the motion. The motion was defeated with Councilmember Radoccia, Vice Mayor Dehnert and Mayor Von Gausig dissenting.**

**Councilmember Radoccia moved FOR the adoption of Resolution #1468, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA EXEMPTING LOWER TAPCO RAP FROM THAT PORTION OF SECTION 12-1-16, PARK & RECREATION FACILITIES - PROHIBITED SUBSTANCES, OF THE CLARKDALE TOWN CODE RELATING TO ALCOHOL. Vice Mayor Dehnert seconded the motion. The motion was approved with Councilmembers Bohall and Regner dissenting.**

**MONGINI PARK AGREEMENT** – Discussion and consideration of adoption of an agreement between Suisse Family Ranches Limited Partnership, UVX Mongini Cattle Co., and the Town of Clarkdale, relating to the lease of property commonly known as “Mongini Park” for recreational purposes.

Currently, the Town of Clarkdale has an agreement with property owners Suisse Family Ranches Limited Partnership and UVX Mongini Cattle Co. for public recreational use of the property known as Mongini Park.

The term of this renewal agreement shall be for twelve (12) years, commencing on June 1, 2014. In exchange for use of the property as a public recreation area the Town will be responsible for the annual Yavapai County property taxes, up to \$1,250 in additional payment per year, and any improvements, maintenance or repairs needed for the premises.

Mongini Park is located at the corner of Broadway and Main Street and serves as a recreational amenity for the Lower Clarkdale residents as well as a gateway entrance point to the Arts and Entertainment District.

Town Manager Mabery presented information on this agenda item.

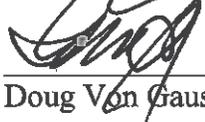
**Councilmember Regner moved to approve the Mongini Park Agreement as presented. Councilmember Bohall seconded the motion. The motion was approved unanimously.**

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

- Rob Adams’s Resolution regarding Yavapai College

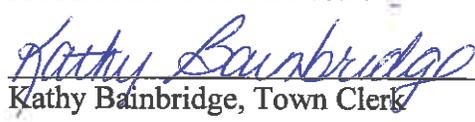
**ADJOURNMENT** – without objection, Mayor Von Gausig adjourned the meeting at 3:38 P.M.

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 27<sup>th</sup> day of May, 2014. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 11 day of June, 2014.

SEAL



Kathy Bainbridge, Town Clerk