

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, August 26, 2014**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, August 26, 2014, at 3:00 p.m. in the Clarkdale Administration Building Community Room, 39 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 3:00 P.M. by Mayor Von Gausig. Without objection, Mayor Von Gausig recessed the meeting to reconvene in the Ladies' Lounge at 19 N. Main Street, Clarkdale, Arizona. The meeting reconvened at 3:10 P.M.

Town Council:

**Mayor Doug Von Gausig
Vice Mayor Richard Dehnert
Councilmember Rennie Radoccia**

**Councilmember Bill Regner
Councilmember Curtiss Bohall**

Town Staff:

**Town Manager Gayle Mabery
Town Clerk/Finance Director Kathy Bainbridge
Community Services/Human Resources Director Janet Perry
Community Development/Economic Director Jodie Filardo
Police Chief Randy Taylor
Utilities/Public Works Director Wayne Debrosky
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.

Drake Meinke, Clarkdale resident and business owner - Updated Council on upcoming events and news:

- **Clarkdale Historical Society won a \$1600 grant to assist in finding aids for archiving;**
- **the monthly Clubhouse Tour will be held September 17th;**
- **the Annual Home Tour and Bank Robbery Re-enactment will be held December 13th;**
- **there will be an Archives Workshop on October 14th;**
- **Clarkdale Historical Society will hold a local book signing with Diane Rappaport on October 30th; and**
- **the Copper Art Museum and Clarkdale Historical Society will host the Cottonwood Chamber Mixer on October 16th at 7:30 p.m.**

Robyn Prudhomme-Bauer, Clarkdale resident – announced that:

- **the Clarkdale Downtown Business Alliance will be holding the First Annual Poker Stroll in downtown Clarkdale on September 20th; and**

- **the First Annual Clarktoberfest will be held on Main Street (which will be closed to vehicle traffic) on October 4th.**

Councilmember Curt Bohall, Clarkdale resident – announced the 106th birthday of longtime Clarkdale resident, Vesta Norcross.

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 – July 2014
 - Magistrate Court Report – July 2014
 - Water and Wastewater Report – July 2014
 - Residential Garbage & Recycling Statistics – June, July 2014
 - Clarkdale Fire District Report and Mutual Aid Responses Report – July 2014
 - Police Department Report – July, 2014
 - NAIPTA Transit Report – June, July 2014

Mayor Von Gausig pulled Consent Agenda items B, C, and D.

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

- B. Liquor License for Clarkdale Market – Approval of a recommendation to the Arizona Department of Liquor License and Control for a Beer and Wine Store Series #10 liquor license application from Black Canyon Jerky, LLC, Roy Beard, Agent, d/b/a Clarkdale Market, located at 915 Main Street, Clarkdale, Arizona.**

Black Canyon Jerky, LLC, Roy Beard, Agent, d/b/a Clarkdale Market has applied for a Series #10 Liquor License. The notice was posted on the building July 28, 2014, and was scheduled for action by the Clarkdale Town Council on August 26, 2014 in order to comply with the 20 day notice posting requirement.

Beer and Wine Store – Series 10

This non-transferable, off-sale retail privileges liquor license allows a retail store to sell beer and wine (no other spirituous liquors), only in the original unbroken package, to be taken away from the premises of the retailer and consumed off the premises. A retailer with off-sale privileges may deliver spirituous liquor off of the licensed premises in connection with a retail sale. Payment must be made no later than the time of delivery. Series 10 (beer and wine store) licensees and applicants may apply for unlimited sampling privileges by completing the Sampling Privileges form. Internet sale of liquor is not permitted in the state of Arizona. Liquor must be delivered to an Arizona liquor-licensed wholesaler, then an Arizona liquor-licensed retailer prior to delivery to the consumer.

Community Development review confirmed that the property was located in the Central Business District which permits retail sales, including sales of alcohol, per Section 3-9.6 of the Zoning Code. Reviews were completed by Police Department and Fire District also.

Town Manager Mabery noted that typically Liquor License recommendations were placed on the Consent Agenda as there is usually no public comment, however from this point forward we will place them on the regular agenda. She cited applicable statutes and sections from the Arizona Administrative Code presenting criteria for granting a license, including “public convenience and best interest”, and “satisfactory showing of capability, qualifications and reliability of the applicant”. Mabery reviewed the procedural routine and noted the different types of Liquor Licenses located within one mile of the proposed premises:

10/12 Lounge – Series 6 (Bar)

Newstand – Series 6 (Bar)

Su Casa – Series 7 (Beer and Wine Bar) and Series 12 (Restaurant)

Four Eight Wineworks – Series 7 (Beer and Wine Bar) and Series 13 (In-state Farm Winery)

Verde Canyon Railroad – Series 10 (Beer and Wine Store)

Spirit Station – Series 10 (Beer and Wine Store)

Main Street Café – Series 12 (Restaurant)

Nate’s Cowboy Café – Series 12 (Restaurant)

Southwest Wine Center – Series 13 (In-state Farm Winery)

Mabery addressed compliance issues with regard to the Clarkdale Market in instances of 1) signage and 2) fire safety inspection. Both issues have been resolved and the Market is now in compliance. In the other criteria areas, staff felt applicant from Clarkdale Market had no issues that were applicable or contrary to the statutes or administrative code.

Town Clerk Bainbridge presented practical procedures regarding an application and its posting required by the State.

Mayor Von Gausig requested input from the Community Development department and the Town Manager regarding more specific information on the compliance issues. The Mayor then opened the discussion regarding pulled Consent Agenda item B. to public comment. Bill Snyder, Clarkdale resident and business owner, and Roy Beard, Applicant, addressed the Council.

Bill Snyder expressed his thoughts on the issue of this recommendation. He stated he once served on the state’s Liquor Control Board and had concerns with density of licenses and irrevocability of license once issued.

Roy Beard, applicant and owner of Clarkdale Market, spoke about his desire to provide liquor to the public at a competitive price. He stated he currently sends people to other establishments in the area, however his customers tell him that the prices in the other stores are too high.

Mayor Von Gausig stated his concern was over the past compliance issues the Town has experienced with Mr. Beard. Mr. Beard addressed the Council’s stated compliance concerns and stated that the law was not clear to him in this case. He stated that when he receives a liquor license he will make sure that his employees receive liquor management classes.

Discussion followed among the Council and Mr. Beard. Councilmember Regner stated he would like to see this business succeed and would vote to approve the recommendation. He further stated he did have concerns about the compliance issues and described the complexity of creating local code.

Mr. Beard stated that if the liquor license doesn’t go through he will close the store, terminate four

employees and the Town will lose the sales tax.

Councilmember Bohall moved to deny the recommendation to the Arizona Department of Liquor License and Control for a Beer and Wine Store Series #10 liquor license application from Black Canyon Jerky, LLC, Roy Beard, Agent, d/b/a Clarkdale Market, located at 915 Main Street, Clarkdale, Arizona. Councilmember Radoccia seconded the motion. The motion carried with Councilmember Regner opposing.

- C. **Extension of Premises/Patio Permit for Clarkdale Newstand's Liquor License –** Approval of a recommendation to the Arizona Department of Liquor License and Control for approval of an Application for Extension of Premises/Patio Permit from Clarkdale Newstand, LLC, Prisca Moreland, Agent, located at 911 Main Street, Clarkdale, Arizona.

On August 19, 2014, Ms. Prisca Moreland submitted an application for an extension of premises/patio permit liquor license with the associated fee to the Town Clerk.

Mrs. Laura Dettinger, the Manager of the Clarkdale Newstand Bar has submitted an application to the Design Review Board for a sidewalk café for the business located at 911 N. Main Street. The application will be presented to the Board on September 3, 2014. The proposed sidewalk café will consist of two aged bronze case aluminum tables and four chairs of the same make and style. Tables are 26.75" tall by 23.5" wide, chairs are 34" tall by 17.5" wide. The 14'8" by 5' area will have heavy-weight 16 lb. rust-resistant black powder-coated steel base stanchions with black 2" retractable nylon belts extended around proposed tables and chairs leaving a 5' public right of way complying with the Americans with Disabilities Act (ADA) 5' required clearance.

Mayor Von Gausig opened the discussion regarding pulled Consent Agenda item C. to public comment. Donna Whitmore, Clarkdale resident, addressed a concern about the proposed furniture for the patio extension and was referred to the Design Review Board meeting to address these concerns.

Vice Mayor Dehnert moved to approve the recommendation to the Arizona Department of Liquor License and Control for an Application for Extension of Premises/Patio Permit from Clarkdale Newstand, LLC, Prisca Moreland, Agent, located at 911 Main Street, Clarkdale, Arizona. Councilmember Regner seconded the motion. The motion was approved unanimously.

- D. **Patriotism Week Proclamation –** Approval of the Patriotism Week Proclamation designated by the Benevolent and Protective Order of Elks for September 8 – 14, 2014.

The Benevolent and Protective Order of Elks has designated the week of September 8-14, 2014 as "Patriotism Week" and requested that the Town of Clarkdale issue a Proclamation to that effect.

Mayor Von Gausig read the proclamation and it was formally presented to representatives from the Jerome Elks Lodge.

Councilmember Bohall moved to approve the Patriotism Week Proclamation designated by the Benevolent and Protective Order of Elks for September 8 – 14, 2014. Vice Mayor Dehnert seconded the motion. The motion was approved unanimously.

NEW BUSINESS

CLARKDALE KIDS CONSERVE ANNUAL REPORT – Annual Report by Lynda Zanolli, Director of the Verde National Resource Conservation District Ed Center (NRCD) regarding the Kids Conserve Program.

The Town of Clarkdale contracted with NRCD to teach water conservation to students at the Clarkdale/Jerome School through a program created by NRCD Director, Lynda Zanolli called “Clarkdale Kids Conserve”. This is a two year contract and the first year was completed in May, 2014. The second year will begin in September, 2014. Lynda will be presenting the first Annual Report on this program.

Lynda Zanolli presented her annual report and an example of what she teaches the students during this course. Council participated in the demonstration.

No Council action is required. This is a presentation by NRCD to the Town of Clarkdale

VERDE RIVER @ CLARKDALE MASTER PLAN – Discussion and consideration regarding the Verde River @ Clarkdale Master Plan.

A Request for Proposal (RFP) for the first stage of the Verde River @ Clarkdale Master Plan was published October 30, 2013. In January 2014, Council awarded the contract to Gunn Communications of Phoenix and their partner Peak Engineering of Flagstaff to develop a conceptual plan for each of the two river access points.

As part of their contract, Gunn Communications coordinated the Stakeholder’s Meeting held on May 9th. Approximately 80 invited participants toured the two river access points and created concept plans for each of the sites.

The general public was invited to attend an Open House held on June 12 and provide feedback on the concept plans developed at the Stakeholder’s Meeting.

Input from both meetings was accumulated by Gunn Communications and Peak Engineering and used in the development of a conceptual plan for both the Tuzi and Lower TAPCO river access points.

Amenities being recommended for both sites include parking areas, locations for ADA accessible composting toilets, boat launch areas, ramadas, trailer and RV parking areas, beach access areas and trails.

The Lower Tapco RAP plan includes infrastructure already installed by the town, including the fee station and information kiosk.

The Tuzi RAP plan includes the two ADA parking spaces and the ADA trail and viewing platform constructed by the Town using Heritage Grant Funds.

The two conceptual master plans were presented to the Parks & Recreation Commission at their August 20th meeting. Their comments will be presented to Council at the August 26th meeting.

Next steps:

Upon review and approval of the Conceptual Master Plans, Peak engineering will provide cost estimates for each component. This will complete their contract. With these cost estimates in hand, staff will begin to pursue funding opportunities to complete the amenities as represented.

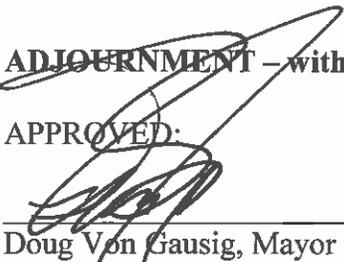
Community Development/Economic Director Jodie Filardo presented detailed information on this plan and discussion followed regarding several aspects of the Plan.

There was a consensus among Council members on the approval of the current phase of the Verde River @ Clarkdale Master Plan and direction given for staff to move forward to the next phase.

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

ADJOURNMENT – without objection, Mayor Von Gausig adjourned the meeting at 5:35 P.M.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



Kathy Bairbridge, Town Clerk

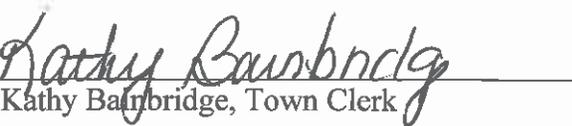
CERTIFICATION

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 26nd day of August, 2014.

I further certify that meeting was duly called and held and that a quorum was present.

Dated this 10 day of September, 2014.

SEAL



Kathy Bairbridge, Town Clerk