



**NOTICE OF A REGULAR MEETING OF THE COMMON COUNCIL  
OF THE TOWN OF CLARKDALE**

**Tuesday, May 12, 2015 at 6:00 P.M.  
Clark Memorial Clubhouse, Men's Lounge**

PURSUANT TO A.R.S. §38-431.02, NOTICE IS HEREBY GIVEN to the members of the Common Council of the Town of Clarkdale and to the general public that the Town of Clarkdale Common Council will hold a Regular Meeting open to the public on **Tuesday, May 12, 2015, at 6:00 p.m.** in the **Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.** Members of the Clarkdale Common Council will attend either in person or by telephone, video or internet conferencing. Pursuant to A.R.S. §38-431.03, the Council may vote to recess the meeting and move into Executive Session on any item, which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

Supporting documentation and staff reports furnished to the Council with this agenda are available for review on the Town website at [www.clarkdale.az.gov](http://www.clarkdale.az.gov) and the Town Clerk's Office.

The undersigned hereby certifies that a copy of this notice was duly posted on the Community Development Building bulletin board, located at 890 Main Street, Clarkdale, Arizona on May 7, 2015 at 1:00 p.m.

*Kathy Bainbridge*  
KATHY BAINBRIDGE  
CLERK/FINANCE DIRECTOR

*As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption to this meeting.*

**ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR DISCUSSION AND POSSIBLE ACTION, UNLESS OTHERWISE NOTED.**

**1. CALL TO ORDER**

**2. 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.

**3. 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  
Vice-Mayor's Report  
Councilmembers' Report  
Town Manager's Report

**Organizational Reports – Reports regarding regional organizations.**

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

NACOG - Northern Arizona Council of Governments.

NAMWUA - Northern Arizona Municipal Water Users Association.

VRBP – Verde River Basin Partnership.

VVLP – Verde Valley Land Preservation.

YC Advisory Board – A report from the Yavapai College Advisory Board representative.

4. **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 April 14, 2015 and Special Meetings April 14<sup>th</sup> and April 28, 2015.
  - B. **Claims** - List of specific expenditures made by the Town during the previous month. April, 2015 check log and PPE dated April 4, 2015 and April 18, 2015.
  - 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 April 22, 2015  
Design Review Board minutes of the meeting held April 1, 2015  
Planning Commission minutes of the meeting held April 21, 2015  
Parks and Recreation Committee Notice of Cancellation of meeting April 8, 2015
  - D. **Memorandum of Understanding (MOU) between Northern Arizona Council of Governments (NACOG), Yavapai County and the Town of Clarkdale** – Approval of a MOU identifying general responsibilities of participating agencies regarding the Highway Safety Improvement (HSIP) Transportation Improvement Program (TIP) to perform signage upgrades/rehabilitation for the purpose of reducing traffic fatalities and serious injuries on public roads.
  - E. **Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor License and Control to approve a Special Event Liquor License for the Verde Valley Habitat for Humanity, Inc.’s fundraiser to be held on Saturday, June 13, 2015 from 5:00 p.m. to 9:00 p.m. at the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ

**NEW BUSINESS**

5. **VERDE VALLEY HABITAT FOR HUMANITY REQUEST FOR WAIVER OF FACILITY USE FEES** – Discussion and possible action regarding a request for waiver of the facility use fees for their fundraiser at the Clark Memorial Clubhouse June 13, 2015.
6. **SERIES 13 – IN-STATE DOMESTIC FARM WINERY LICENSE FOR**

**COTTONTUCKY LLC, AGENT, JOSEPH BECHARD, D/B/A CHATEAU  
TUMBLEWEED**– Discussion and possible approval of a recommendation to the Arizona Department of Liquor License and Control for approval of an In-state Domestic Farm Winery - Series #13 Liquor License application from Cottontucky LLC, Agent Joseph Bechard, d/b/a Chateau Tumbleweed at 1151 W. State Route 89A, Clarkdale, AZ.

7. **PUBLIC HEARING REGARDING CAPITAL TELECOM'S CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS FACILITY** – a hearing to gather information from the public regarding Capital Telecom's Conditional Use Permit application for a wireless facility which includes a 65-foot high monopole tower and associated supporting infrastructure at 1450 SR 89A, Assessor's Parcel Number 406-26-010Y.
8. **CAPITAL TELECOM'S CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS FACILITY** – Discussion and possible action regarding Capital Telecom's Conditional Use Permit application for a wireless facility which includes a 65-foot high monopole tower and associated supporting infrastructure at 1450 SR 89A, Assessor's Parcel Number 406-26-010Y.
9. **FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda
10. **ADJOURNMENT**

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 639-2400 (TTY: 1-800-367-8939) at least 72 hours in advance of the meeting.

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, April 14, 2015**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, April 14, 2015 at 4:30 p.m. at Clark Memorial Clubhouse, Reading Room, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Vice Mayor Dehnert called the meeting to order at 4:36 P.M.

Town Council:

Mayor Doug Von Gausig – Arrived late  
Vice Mayor Richard Dehnert  
Councilmember Scott Buckley

Councilmember Bill Regner  
Councilmember Curtiss Bohall

Town Staff:

Town Manager Gayle Mabery  
Town Clerk/Finance Director Kathy Bainbridge  
Community Development/Economic Director Jodie Filardo  
Senior Planner Beth Escobar

**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.

Town Attorney Robert Pecharich made opening comments regarding Executive Session agenda item. The purpose of adjourning to executive session is for the Town Attorney to give legal advice to Council.

**Councilmember Bohall moved to adjourn to Executive Session and Councilmember Regner seconded the motion. The motion was passed unanimously.**

**EXECUTIVE SESSION** – The Council may vote to discuss the following matters in executive session pursuant to A.R.S. §38-431.03:

A.R.S. §38-431.03(A)(3) discussion or consultation for legal advice with the attorney representing the public body.

**A. CONDITIONAL USE PERMIT APPLICATION FOR A  
WIRELESS FACILITY INCLUDING A 65 FOOT HIGH**

**MONOPOLE POWER AND ASSOCIATED SUPPORTING  
INFRASTRUCTURE AT 1450 SR 89A FROM CAPITAL  
TELECOM.**

The Executive Session will be held immediately after the vote and will not be open to the public.

**ADJOURNMENT – Without opposition, the Executive Session was adjourned at 5:55 P.M. by Mayor Von Gausig.**

**Without objection Mayor Von Gausig adjourned the meeting at 6:00 P.M.**

APPROVED:

ATTESTED/SUBMITTED:

\_\_\_\_\_  
Doug Von Gausig, 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 14<sup>th</sup> day of April, 2015. I further certify that meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SEAL

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

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, April 14, 2015**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, April 14, 2015, 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 6:00 P.M. by Mayor Von Gausig.**

**Town Council:**

Mayor Doug Von Gausig

Councilmember Bill Regner

Vice Mayor Richard Dehnert

Councilmember Curtiss Bohall

Councilmember Scott Buckley

**Town Staff:**

Town Manager Gayle Mabery (arrived at 6:39 following meeting with Town Attorney)

Town Clerk/Finance Director Kathy Bainbridge

Community Services/Human Resources Director Janet Perry

Community Development/Economic Director Jodie Filardo

Senior Planner Beth Escobar

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.

**Drake Meinke, Clarkdale resident and business owner spoke about upcoming events**

**Karen Daniels, Clarkdale resident – apologized for tone of cell tower letter she sent to Town a few months ago. Gave statement about her prior volunteer services to the Town of Clarkdale. Asked for 15 minutes of Council's time to come to her house to experience first-hand the cell tower's impact on her home and way of life. (Mayor recommended Ms. Daniels send an email to the Council with that invitation).**

**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 Von Gausig's Report –

- 03/11/2015: Attended Rural Advisory Council meeting for Local First Arizona
- 03/16/2015: Attended CPR/First Aid Training;
  - Met with Duff and Town Manager Mabery at the Broadway gate into the dam
- 03/17/2015: Attended ASCOT Premier Trails committee meeting;
  - Met with Laurel Lacher (Lacher Hydrological Services) and Community Development/Economic Director Filardo
- 03/18/2015: Attended Arizona Forward land use committee regarding Verde River @ Clarkdale
- 03/19/2015: Attended Arizona Forward Executive Committee meeting;
  - Met with Yavapai College's James Perey, Executive Dean
- 03/20/2015: Attended John Tavasci, Sr.'s funeral
- 03/26/2015: Spoke to Cottonwood Kiwanis regarding Verde River initiatives, geo-tourism, VR @ Clarkdale
- 03/28/2015: Attended Verde River Runoff
- 03/29/2015: Attended and spoke at Welcome Home Vietnam Veterans event
- 03/31/2015: Met with Senator Jeff Flake along with some other mayors and county supervisors
- 04/02/2015: Participated in tour of Mingus Union High School
- 04/06/2015: Attended Volunteer Appreciation event
- 04/07/2015: Attended Water Forum at Morrison Institute featuring Senator Jeff Flake;
  - Attended Arizona Forward Sustainable Funding committee meeting
- 04/09/2015: Attended Yavapai County Mayors/Managers meeting
- 04/14/2015: Met with Freeport McMoRan representatives

Vice-Mayor Dehnert's Report –

- 03/16/2015: Participated in activity for Habitat for Humanity's 20<sup>th</sup> anniversary
- 03/29/2015: Emceed Welcome Home Vietnam Veterans event
- 04/02/2015: Participated in MUHS visit
- 04/06/2015: Attended Clarkdale Volunteer Appreciation event
- 04/07/2015: Attended Yavapai County Board of Health meeting in Prescott
- 04/08/2015: Attended MATForce/Verde Valley Steering Committee meeting

Councilmember Bohall's Report –

- 03/14/2015: Attended Car Show
- 03/17/2015: Celebrated St. Patrick's Day at Main Street Café
- 03/19/2015: Attended CATS meeting
- 03/29/2015: Attended Welcome Home Vietnam Veterans event
- 04/06/2015: Attended Volunteer Appreciation event

Councilmember Regner's Report –

- 03/14/2015: Attended Car show
- 03/16/2015: Attended CPR training

- 03/18/2015: Attended Yavapai College Advisory Committee meeting
- 03/29/2015: Attended Welcome Home Vietnam Vets event
- 04/01/2015: Attended Yavapai College Advisory meeting
- 04/08/2015: Attended Local First Arizona mixer
- 04/09/2015: Attended Verde Valley Land Preservation meeting

Councilmember Buckley's Report –

- 03/15/2015: Went on a ride-along with Police Sgt. Relyea
- 04/06/2015: Attended Downtown Business Alliance meeting

**Organizational Reports** – Reports regarding regional organizations.

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

CAT: Working on extending service to Village of Oak Creek; there are 100 Cottonwood residents who work in the Village; ridership has increased significantly over past few years

NACOG - Northern Arizona Council of Governments. Vice Mayor Dehnert:

No report

NAMWUA - Northern Arizona Municipal Water Users Association. Councilmember Buckley:

No report

VRBP – Verde River Basin Partnership. Mayor Von Gausig:

No report

VVLP – Verde Valley Land Preservation. Councilmember Regner:

Meeting April 13, 2015 – seeking financial support from Verde Valley municipal governments

YC Advisory Board – A report from the Yavapai College Advisory Board representative.  
Councilmember Regner:

03/18/2015 Presentations from Yavapai College Foundation Executive Director and Vice President of Yavapai College Advancement and Economic Development on the history and future plans of the foundation activities in the Verde Valley. Indications present that investments in staffing and events haven't generated positive returns.

04/01/2015 – Report from Executive Dean James Perey regarding launch of hospitality/culinary arts

programs and Film Media Arts program; committee is also considering a recommendation to the College's District Governing Board to not raise the property tax levy for Yavapai County. Councilmember Regner did not participate in that discussion.

**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 Strategic Planning Sessions on March 4 and 5, 2015, Regular Meeting held March 10, 2015 and Special Meetings March 4<sup>th</sup>, 5<sup>th</sup> and 24<sup>th</sup>, 2015.
- B. Claims** - List of specific expenditures made by the Town during the previous month. March, 2015 check log and PPE dated March 7, 2015 and March 21, 2015.
- 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 March 25, 2015  
Design Review Board minutes of the meeting held March 4, 2015  
Planning Commission minutes of the meeting held March 17, 2015  
Library Advisory Board Notice of Cancellation of meeting March 12, 2015  
Parks and Recreation Committee minutes of the meeting held March 11, 2015
- D. Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona, Amending Resolution #1496, Setting Fees for the Town of Clarkdale, by Creating Verde River @ Clarkdale Membership Fees** – Approval of Resolution #1497 creating Verde River @ Clarkdale Membership Fees.
- F. Sedona Recycles, Inc. Agreement for Contracted Services**– Approval of an Agreement for Contract Services with Sedona Recycles, Inc. for recycling drop off services in the Town of Clarkdale.
- G. Resignation from the Planning Commission** – Acceptance of Jack Van Wye's Resignation from the Planning Commission.

Mayor Von Gausig pulled item E.

**Councilmember Regner moved to accept Consent Agenda items A, B, C, D, F and G as presented. Vice Mayor Dehnert seconded the motion and the motion passed unanimously.**

- E. Motorcycle Safety Awareness Month Proclamation** - Approval of a proclamation setting May, 2015 as Motorcycle Awareness Month in Clarkdale.

Motorcycle riding is a popular form of transportation from daily commutes to recreation for the residents of Clarkdale, Verde Valley, and Arizona and the safe operation of a motorcycle requires the use of special skills developed through a combination of training and experience, the use of good

judgment, and thorough knowledge of traffic laws.

It is especially important that the residents of Clarkdale be aware of motorcycles on the streets and highways and recognize the importance of motorcycle safety and the importance of sharing the roadway. All residents are being encouraged to safely share the roadways throughout Verde Valley and to always Look Twice for Motorcycles.

Trish Gomez from the Modified Motorcycle Association (MMA) discussed her organization and stated that May is Motorcycle Awareness Month and she is promoting this event around the state.

**Vice Mayor Dehnert moved to accept Agenda item E as presented. Councilmember Buckley seconded the motion. Mayor Von Gausig read the proclamation and the motion carried unanimously.**

## **NEW BUSINESS**

**WATER RESOURCES MANAGEMENT PROGRAM WORKSESSION** – Discussion regarding the Water Resources Management Program Recommendations Report and Project Plan.

The WRRC report and recommendations were a culmination of an eighteen month effort between the Town of Clarkdale, the University of Arizona Water Resources Research Center (WRRC), Lacher Hydrological Consulting (LCH), and consultations with almost sixty (60) experts in water management. Funding was provided by the Walton Foundation to create a Water Resources Management Program (WRMP).

The WRMP report takes into account the great strides the Town has already made toward sound water management, limiting factors such as population and economic resources, and the need for regional cooperation. Regional cooperation was not included in this report as a recommendation per se, but the Expert Forum, interviews, and the Small Town Forum all stressed the need for regional collaboration across jurisdictions on water as one of the most common themes. The report recognizes that recommendations are interrelated and in some cases interdependent.

### **Recommendations (In order of priority as laid out in the WRMP Report):**

1. **The first priority was to develop and implement a comprehensive water-loss control program.** Despite efforts by the Town's Utilities Department the amount of non-revenue water remains high. The Town has an aged water distribution system with areas consisting of ninety (90+) plus year old piping and mains.
2. **Engage the public about water sustainability and values.** The Town should continue efforts made by the WRRC to engage the public and provide educational opportunities on issues concerning water sustainability, water management, and the Verde River. Limiting factors or challenges that can impact these efforts are lack of available time, funding, expertise, as well as the related challenge of finding ways to encourage cooperation among different views and priorities.

3. **Develop a strategic plan for the reuse of effluent/reclaimed water.** With the construction of a new wastewater treatment plant (WTP) the Town of Clarkdale now produces approximately 134 acre-feet of A+ reclaimed water per year or 38% of the current plant's permitted capacity. For future expansion the facility was designed to allow two more upgrades of 0.350 MGD each bringing the total design capacity to 1.05 MGD.  
The WRMP Report identified groundwater recharge as the most cost-effective option available to the Town at this time. The report also identifies the need for a strong public education/information effort and public meetings about reclaimed water to avoid causing confusion and misunderstanding.
4. **Understand and plan for stormwater and rainwater resources.** The report identified rainfall and runoff generated during storm events as an additional source of water for communities to utilize as part of their water resource portfolio.  
In order to begin implementation of this recommendation the Town would need to invest staff time in developing a rainwater and stormwater harvesting plan, and to hire a consultant to develop a rainfall/runoff model.
5. **Link land use planning to water management.** The fact that Clarkdale has the capacity to manage its potable water supply and its wastewater treatment process provide improved flexibility in water resource management and planning. This puts the Town in a position to link water management with land-use objectives in a way that will generate lasting, positive impacts in achieving its water conservation objectives.
6. **Create a community water budget and partial demand offset.** A community-wide water budget uses data on water supply and demands as part of a conversation about where and how much water should be used in a community. Budgets can be community-wide or household in nature. The report recommends using a citizen advisory council to develop a draft community budget, and then refine that budget through a series of community water budget workshops. The first step in this process would be to download the C2E Program Development Toolkit and hold a scoping meeting.

**Goals for this Three (3) year plan:**

1. Implementation water loss-control program
2. Link land use planning with water resource management practices.
3. Develop public outreach and educational programs.
4. Explore and define options for the reuse reclaimed water (A+ effluent).

**Limiting factors in implementing the WRMP Report recommendations:**

- Limited Town of Clarkdale staff time and resources
- Limited funding to hire consultants to develop a stormwater and rainwater harvesting plan
- The difficulty in overcoming political, economic, cultural, and jurisdictional boundary considerations in the formation of a regional water management district.

Steps taken so far, by the Utilities Department, to reduce the amount of non-revenue water have included the following:

- Water distribution system inspections and updates to the historical records and system maps
- Upgrade of the system's water meters from ten plus year old meters to new radio read meters. The new meters store almost one year of user data and allow staff to review the data to determine usage patterns and identify potential leaks.
- Each month the Utilities Billing Clerk reviews abnormally high water usage for Utility customers and calls them to inform them they may have a leak. In some cases a water operator will assist the customer with determining the reason for the high usage.
- The Utilities Department have repaired three hundred and fifty nine (359) leaks in the water distribution system since 2007.
- Clarkdale Breaks and leaks from 2007 to 2014
  - o 2007 We had 54 breaks or leaks.
  - o 2008 We had 38 breaks or leaks.
  - o 2009 We had 62 breaks or leaks.
  - o 2010 We had 67 breaks or leaks.
  - o 2011 We had 47 breaks or leaks.
  - o 2012 We had 38 breaks or leaks.
  - o 2013 We had 23 breaks or leaks.
  - o 2014 We had 30 breaks or leaks.
- 5.2 miles of water mains have been replaced since 2008.
- The Town of Clarkdale has an active leak detection program and contracts with M.E. Simpson Company, Inc. and National Meter & Automation, Inc. to provide vendor leak detection services. In 2014 M. E. Simpson Company, Inc. performed a system-wide leak detection service.

Completion of the Hydraulic model. The hydraulic model will identifying problem areas and aid in leak detection; allow us to model changes in the water distribution system caused by growth; and to determine system infrastructure and components necessary to expand the distribution system.

Utilities/Public Works Director Debrosky presented information on this agenda item and reviewed the Water Resource Management Task List.

Mayor Von Gausig noted that the Verde Valley has opportunities available that might overcome some of the limiting factors if collaboration between communities would occur.

Discussion followed about the implementation of the plan and model. Discussion included resources and funding, including grant request to Water Infrastructure Finance Agency for \$35,000 funding toward design of upper Town Water Main Replacement Project. If that were to come through, subsequent work funding would also be available.

**Worksession only, no action required.**

**FISCAL YEAR 2014-2015 BUDGET UPDATE** – A worksession to discuss the third quarter of the 2014-2015 FY budget.

This budget update is designed to provide the Town Council with an overview of the current budget position, discuss current budget and revenue projections, and talk about key areas in the Town's short term economic outlook.

<u>Account</u>	<u>YTD Actual</u>	<u>% of Budget</u>
Streets – Revenue (w DF)	\$ 342,366.95	55.88%
Streets – Revenue (w/o DF)	\$ 296,230.23	76.50%
Streets – Expenses (w DF)	\$ 281,788.54	45.99%
Streets – Expenses (w/o DF)	\$ 235,651.82	60.86%
Wastewater – Revenue	\$ 416,555.49	75.10%
Wastewater – Expenses	\$ 422,413.12	76.16%
Sanitation – Revenue	\$ 225,948.76	77.12%
Sanitation – Expenses	\$ 207,168.70	70.71%
Water – Revenue	\$ 941,430.70	69.86%
Water – Expenses	\$ 964,525.52	71.58%
Cemetery – Revenue	\$ 19,632.00	43.53%
Cemetery – Expenses	\$ 35,513.70	78.75%
General Fund – Revenue (w DF)	\$2,216,109.31	61.97%
General Fund – Revenue (w/o DF)	\$2,125,564.74	72.76%
General Fund – Expenses (w DF)	\$2,183,418.91	61.06%
General Fund – Expenses (w/o DF)	\$2,118,001.02	72.50%

Town Clerk/Finance Director Bainbridge presented updates on this agenda item.

Bainbridge stated she anticipates there will be a need to take \$25,000 from perpetual care fund to balance the cemetery fund for this fiscal year.

**This item is scheduled as a worksession only, and no official action is necessary from the council.**

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

**ADJOURNMENT** – Without objection, Mayor Von Gausig adjourned the meeting at 7:54 P.M.

APPROVED:

ATTESTED/SUBMITTED:

\_\_\_\_\_  
Doug Von Gausig, 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 14<sup>th</sup> day of April, 2015. I further certify that meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SEAL

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

**Minutes of a Special Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, April 28, 2015**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, April 28, 2015, at 3:00 p.m. in the Clarkdale Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor Doug Von Gausig

Councilmember Bill Regner

Vice Mayor Richard Dehnert

Councilmember Curtiss Bohall

Councilmember Scott Buckley (absent)

Town Staff:

Town Manager Gayle Mabery

Town Clerk/Finance Director Kathy Bainbridge

Finance Supervisor Kathy Cwiok

Community Development/Economic Director Jodie Filardo

Senior Planner Beth Escobar

Police Chief Randy Taylor

Deputy Clerk Mary Ellen Dunn

**Meeting was called to order at 3:00 P.M. by Mayor Von Gausig.**

**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
  - Building Permit Report – March, 2015
  - Magistrate Court Report – March 2015
  - Water and Wastewater Report – March, 2015
  - Clarkdale Fire District Report and Mutual Aid Responses Report – March, 2015
  - Police Department Report – March, 2015
  
- C. **Verde Valley Humane Society Impound Animal Agreement** – Approval of a 2015-2016 Verde Valley Humane Society Impound Animal Agreement.
  
- D. **Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor License and Control to approve a Special Event Liquor License

for the Verde Valley Wine Consortium's event to be held on Saturday, May 30, 2015 from 9:00 a.m. – 6:00 p.m. at Yavapai College, 601 Black Hills Road, Clarkdale, AZ.

- E. Wine Festival License** - Approval of a recommendation to the State Department of Liquor License and Control to approve 13 Wine Festival Licenses for the Verde Valley Wine Consortium's event to be held on Saturday, May 30, 2015 from Noon – 6:00 p.m. at Yavapai College, 601 Black Hills Road, Clarkdale, AZ.
- F. Amendment to Transit Intergovernmental Agreement** - Approval of an amendment to the Intergovernmental Agreement between the Town of Clarkdale and the Yavapai-Apache Nation regarding public transportation.

Councilmember Regner pulled item B from the consent agenda.

**Vice Mayor Dehnert moved to accept Consent Agenda items A, and C – F as presented. Councilmember Bohall seconded the motion. The motion passed unanimously.**

- B. Proclamation Declaring May 3, 2015 through May 9, 2015 as Youth Week in Clarkdale, Arizona** – Approval of a Proclamation declaring May 3, 2015 through May 9, 2015 as Youth Week in the Town of Clarkdale.

Each year the Benevolent and Protective Order of Elks selects a week to honor our local youth. This year they have selected May 3<sup>rd</sup> through May 9<sup>th</sup> as National Youth Week to honor America's Junior Citizens for their accomplishments and to give a fitting recognition of their services to Community, State, and Nation.

Janet Leuer and Jeannette Kullmann from the Jerome Elks were present to give comments and read an essay from a 12-year old Camp Verde Middle School student, Eli Gagnon. Mayor Von Gausig read the proclamation for the record.

**Councilmember Regner moved to approve the Proclamation declaring May 3, 2015 through May 9, 2015 as Youth Week in the Town of Clarkdale. Vice Mayor Dehnert seconded the motion and it carried unanimously.**

## **NEW BUSINESS**

**YAVAPAI COLLEGE COMMUNITY OUTREACH PRESENTATION** – A presentation by Yavapai College representatives.

Dr. Penny Wills, President of Yavapai College will present an update on Yavapai College.

- Dr. Wills recognized the work of Councilmember Regner on the Advisory Committee.
- She announced that College for Kids is back after a one-year hiatus and will start on June 1<sup>st</sup>.
- Verde Valley Wine Consortium and Southwest Wine Center are doing well.
- District Governing Board has a 2014 annual report that is being distributed.
- Noted Education, Economic Development and Cultural Enrichment are college's strategic plan focuses.

- Student recognitions ceremony tonight.
- Discussion of budget process and recent legislative cuts.
- Plant-A-Vine this Saturday on campus.
- Two \$100K donations received
- Hospitality, culinary arts, oenology certificate, and certificate of integrated systems engineering technician programs now available.

**This is a presentation only, no action required.**

**VERDE FRONT/STRING OF PEARLS PROJECT UPDATE** – A presentation regarding an update on the Verde Front/String of Pearls Project.

A presentation regarding the String of Pearls project.

**This agenda item was omitted as the presenter was not able to attend.**

**AMENDMENT TO TOWN OF CLARKDALE'S CONTRACT FOR LEGAL SERVICES WITH SQUIRE PATTON BOGGS** – Discussion and consideration to initiate an amendment to the Town of Clarkdale's contract with Squire Patton Boggs to include legal advice and consulting on issues relating to the United Verde Soil Program.

The Town of Clarkdale was informed on April 14, 2015, that Freeport McMoRan, Inc. (FMI) has submitted an application with the Arizona Department of Environmental Quality's Voluntary Remediation Program to undertake the United Verde Soil Program. It is our understanding that, under the program, FMI will implement a soil sampling and mediation program at selected residential, publicly-owned, and commercial properties that could have been impacted by historic smelter operations in Clarkdale. The United Verde Copper Company's Clarkdale smelter operated in the community from 1913 until 1953 and this project is tied to smelter emissions during that era.

The Town of Clarkdale is in the early stages of identifying its resource needs in order to effectively address issues relating to this project. As a first step, the Town Staff is asking for direction from the Town Council to amend the Town's current contract with Squire Patton Boggs to include legal advice and consulting on issues relating to this project, and to develop an initial project scope and budget for those services, for approval by the Town Council at an upcoming meeting. Lead Counsel for Squire Patton Boggs on this project will be Christopher Thomas (see attached resume).

Clarkdale has also invited Freeport McMoRan, Inc. to present an outline of the United Verde Soil Program and their public outreach plan for the program to the Town Council during a Special Clarkdale Town Council meeting that will be held at 6:00 p.m. on Tuesday, May 19, 2015. The Arizona Department of Environmental Quality has also been invited to attend this Council meeting to share information about their Voluntary Remediation Program.

Announcements for dates and times of future public meetings on this topic will be made available on the Town of Clarkdale's website: <http://www.clarkdale.az.gov>

Town Manager Mabery presented information on this agenda item. Suggestions were made that cleanup areas need to be expanded. Establishment of a Citizens' Advisory Committee was also suggested.

Mayor Von Gausig added that an environmental consultant will be contracted by the attorney after council approval of attorney's appointment. He stated he was impressed with Christopher Thomas, the proposed counsel. The Mayor noted that the testing levels recommended by Freeport McMoRan might need to be negotiated pursuant to attorney advice.

Mabery added that advice from other communities has been very helpful as well as advice from ADEQ and noted that it "behooves our community to have the right team in place from the very beginning."

**Councilmember Regner moved that Council direct the staff to draft an amendment to the Town's current contract with Squire Patton Boggs, LLP to include legal advice and consulting on issues relating to the United Verde Soil Program, and to develop an initial project scope and budget for those services. Councilmember Bohall seconded the motion and the motion passed unanimously.**

**MEMORANDUM OF UNDERSTANDING WITH THE YAVAPAI TRAUMA INTERVENTION PROGRAM (TIP) – Discussion and consideration of the 2015-2016 Intergovernmental Agreement between the Yavapai Trauma Intervention Program and the Town of Clarkdale for emotional and practical support to victims of traumatic events.**

TIP is a nonprofit organization whose primary purpose is to ensure that those who are emotionally traumatized receive the support they need immediately following a crisis event. The TIP program is designed to prevent the secondary victimization that all too often occurs with the loss of life incidents. The Yavapai Chapter of TIP is a group of specially trained volunteers who provide emotional aid and practical support to victims of traumatic events and their families in the first few hours following a tragedy.

TIP Volunteers are available 24 hours a day, 365 days a year. They are called by police officers, firefighters, paramedics, and hospital personnel to assist family members and friends following a natural or unexpected death; victims of violent crime including rape, assault, robbery, or burglary; victims of fire; disoriented or lonely elderly persons; people involved in motor vehicle accidents; people who are distraught and seeking immediate support; and survivors of suicide.

The Clarkdale Police Department has not had a formal relationship with TIP in the past, but have utilized their services with increasing frequency over the past year (through the MOU in place with the Clarkdale Fire District). Due to the increased usage of TIP by the Clarkdale Police Department, TIP has requested that we sign a Memorandum of Understanding, specific to the Town of Clarkdale.

The requested funding for the program is \$2,650.00 which has been included in the 2015-2016 Police Department Budget.

Town Manager Mabery presented information on this agenda item in Police Chief Randy Taylor's absence.

**Vice Mayor Dehnert moved to approve the 2015-2016 Intergovernmental Agreement between the Yavapai Trauma Intervention Program and the Town of Clarkdale for support services. Councilmember Regner seconded the motion and the motion carried unanimously.**

**FISCAL YEAR 2015-2016 PRELIMINARY BUDGET WORKSESSION**– A work session with the Council regarding the Preliminary Budget for FY 2015-2016.

A Power Point presentation of the 2015-2016 Fiscal Year Preliminary Budget will show the combination of projected expense and revenue reductions/increases throughout the General Fund, Streets Fund, Capital Project Fund, along with the Donations, Impact Fees, Court Enhancement and Grant Funds. These projections will be fine-tuned as we continue to receive additional information over the next two months.

Several dates should be kept in mind during the budgeting process. State law requires that, on or before the third Monday of July of each fiscal year, the Town Council must adopt a preliminary budget. Functionally though, the Town of Clarkdale adopts a preliminary budget prior to June 30<sup>th</sup> so that the staff has a guideline for expenditures on July 1<sup>st</sup>, which is the beginning of the fiscal year. The preliminary budget sets the maximum “limits” for expenditures.

There is no specific date set by state law for adoption of the final budget. However, the deadline for adoption of a property tax levy is the third Monday in August. Since state law requires a period of at least fourteen days between adoption of the final budget and adoption of the tax levy, the deadline for adoption of the final budget becomes the first Monday in August.

**Proposed Timeline:**

March 24, 2015	Preliminary Budget Worksession - Completed
April 28, 2015	Preliminary Budget Worksession
May 26, 2015	Preliminary Budget Worksession
June 9, 2015	Preliminary Budget Worksession (If Needed)
June 23, 2015	Approval of Preliminary Budget
July 28, 2015	Public Hearing for: Final Budget Property Tax Levy Truth in Taxation Resolution on Primary Property Tax Rate Adoption of Final Budget
August 11, 2015	Adopt Property Tax Levy

Finance Director Kathy Bainbridge presented information on this agenda item.

**Budget assumptions were:**

1. There were no cost of living adjustment (COLA) or town wide wage increases
2. Health insurance premium increase of 7%
3. Worker’s Comp e-mod decrease from 1.69 to 1.14
4. Public Safety Retirement employer contribution rate increase from 24.15% to either 34.07% or 26.08%

Discussion followed regarding the State Shared Income Tax fund’s decrease due to lower income levels among citizens and the mechanics of managing the Soil Remediation Project expenses.

Police department budget discussion included the options for the council in paying the unfunded liability of the Public Safety Personnel Retirement funds of \$1,288,737. The PSPRS Board adopted a

3 year phase-in policy for increased 2014 valuations allowing employers the choice to either pay the full effect rate of 34.07% or choose the phase-in rate of 26.08%. The unfunded liability amortization of \$1,288,737 over 22 years totals \$3,112,265 without the phase-in option and \$3,182,751 with the phase-in option, a total of \$70,485 more over 22 years. The proposed budget included the full effect or without phase in option which left the budget \$32,385 short. One of the options for paying that unfunded balance would be to increase the property tax.

There was a 2% increase in net assessed values for the Town which were \$28,546,654. The 2015/2016 allowable levy limit is \$490,546 and the levy last year was \$442,083. The difference in the "Truth in Taxation" levy (the levy that reflects no dollar change to property owners) and the maximum allowable levy limit is \$42,990.84. The maximum allowable levy of \$490,546 reflects about a 9.5% levy increase and about \$14.87 per \$100,000 assessed value increase on property.

Direction given to the Finance Director was to come back with the following changes to the General Fund budget:

1. A budget reflecting the maximum allowable levy limit of \$490,546.
2. Payment budgeted towards the PSPRS unfunded liability at the "phase-in" rate of 26.08% for 2015/2016 budget.
3. A 1% cost of living adjustment (COLA) for staff.
4. Remaining funds to be held for payment towards the unfunded liability at a later date.
5. Transfer of \$40,000 to Streets from Sanitation

2015-2016 Preliminary Operational Budgets:

<u>Fund</u>	<u>Expense Budget</u>	<u>Revenue Budget</u>
▪ General Fund	\$ 3,422,934.47	\$ 3,390,539.47
▪ HURF - Streets	\$ 404,821.93	\$ 404,821.93
▪ Capital Projects	\$ 694,533.00	\$ 711,500.00
▪ Developer Reimbursements	\$ 800,000.00	\$ 800,000.00
▪ Impact Fees	\$ 272,614.79	\$ 272,614.79
▪ Grant Fund	\$ 3,974,283.53	\$ 3,974,283.53
▪ Donation Fund	\$ 556,850.00	\$ 556,850.00
▪ Court Enhancement	\$ 2,500.00	\$ 2,500.00

Town Manager Mabery reminded Council that the United Verde Remediation Project financial impact is currently unknown.

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

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

**ADJOURNMENT** – without objection the meeting was adjourned at 5:48 P.M. by Mayor Von Gausig.

APPROVED:

ATTESTED/SUBMITTED:

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

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

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the Town Council of the Town of Clarkdale, Arizona held on the 28<sup>th</sup> day of April, 2015.

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

SEAL

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

5/05/2015 8:48 AM  
 VENDOR SET: 01 Town of Clarkdale  
 BANK: \* ALL BANKS  
 DATE RANGE: 4/01/2015 THRU 4/30/2015

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
C-CHECK	VOID CHECK	V	4/08/2015			072094		
C-CHECK	VOID CHECK	V	4/07/2015			072122		
C-CHECK	VOID CHECK	V	4/07/2015			072123		
C-CHECK	VOID CHECK	V	4/07/2015			072124		
C-CHECK	VOID CHECK	V	4/14/2015			072139		
C-CHECK	VOID CHECK	V	4/14/2015			072147		
C-CHECK	VOID CHECK	V	4/22/2015			072168		
C-CHECK	VOID CHECK	V	4/21/2015			072175		
C-CHECK	VOID CHECK	V	4/21/2015			072176		
C-CHECK	VOID CHECK	V	4/21/2015			072177		
C-CHECK	VOID CHECK	V	4/21/2015			072178		
C-CHECK	VOID CHECK	V	4/21/2015			072179		

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	0	0.00	0.00	0.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00

VOID CHECKS:	12 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

VENDOR SET: 01 BANK: *	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
		12	0.00	0.00	0.00
BANK: *	TOTALS:	12	0.00	0.00	0.00

VENDOR SET: 01 Town of Clarkdale  
 BANK: POOL POOLED CASH  
 DATE RANGE: 4/01/2015 THRU 4/30/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0001	ARIZONA STATE RETIREMENT SYSTE							
I-ACRPPE 04042015	ACR STATE RETIREMENT	D	4/03/2015	8.61		000000		
I-LTDPPE 04042015	STATE RETIREMENT	D	4/06/2015	127.20		000000		
I-SR PPE 04042015	STATE RETIREMENT	D	4/08/2015	12,165.72		000000		
I-SRBPPE 04042015	STATE RETIREMENT BUY BACK	D	4/08/2015	349.89		000000		12,651.42
0001	ARIZONA STATE RETIREMENT SYSTE							
I-LTDPPE 04182015	STATE RETIREMENT	D	4/22/2015	124.86		000000		
I-SR PPE 04182015	STATE RETIREMENT	D	4/22/2015	11,915.56		000000		
I-SRBPPE 04182015	STATE RETIREMENT BUY BACK	D	4/22/2015	349.89		000000		12,420.31
0069	CITY OF COTTONWOOD							
I-554	CITY OF COTTONWOOD	D	4/21/2015	40,281.88		000000		40,281.88
0074	INTERNAL REVENUE SERVICE							
I-T1 PPE 04042015	FEDERAL TAXES	D	4/08/2015	5,638.72		000000		
I-T3 PPE 04042015	FICA WITHHOLDING	D	4/08/2015	8,758.48		000000		
I-T4 PPE 04042015	MEDICARE WITHHOLDING	D	4/08/2015	2,048.32		000000		16,445.52
0074	INTERNAL REVENUE SERVICE							
I-T1 PPE 04182015	FEDERAL TAXES	D	4/22/2015	5,343.95		000000		
I-T3 PPE 04182015	FICA WITHHOLDING	D	4/22/2015	8,656.50		000000		
I-T4 PPE 04182015	MEDICARE WITHHOLDING	D	4/22/2015	2,024.46		000000		16,024.91
0006	AMERICAN FAMILY LIFE ASSURANCE							
I-APRPPE 04042015	AFLAC	R	4/08/2015	104.86		072086		
I-APSPPE 04042015	AFLAC POST TAX	R	4/06/2015	36.37		072086		141.23
0075	ARIZONA DEPARTMENT OF REVENUE-13-052014X							
I-T2 PPE 04042015		R	4/08/2015	1,908.12		072087		1,908.12
0072	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH INSURANCE							
I-2HSPPE 04042015		R	4/08/2015	634.92		072088		634.92
0072	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH SAVINGS ACCOUNT							
I-HSAPPE 04042015		R	4/08/2015	2,523.15		072089		2,523.15
0009	ARIZONA PUBLIC SAFETY RETIREME SYSTEM 105							
I-PACPPE 04042015	SYSTEM 105	R	4/08/2015	483.96		072090		
I-PSRPPE 04042015	SYSTEM 105	R	4/08/2015	5,096.16		072090		5,580.12
0017	ICMA RETIREMENT TRUST 457 301912							
I-ICMPPE 04042015		R	4/08/2015	1,199.38		072091		1,199.38

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0655	TIAA CREF FINANCIAL SERVICES PLAN # 403695	R	4/08/2015	575.00		072092		575.00
0072	ARIZONA PUBLIC EMPLOYERS HEALT							
I-2ECPPE 04042015	HEALTH INSURANCE	R	4/08/2015	705.24		072093		
I-2EFPPE 04042015	HEALTH INSURANCE	R	4/08/2015	537.24		072093		
I-2ESPPE 04042015	HEALTH INSURANCE	R	4/08/2015	424.16		072093		
I-CECPPE 04042015	HEALTH INSURANCE	R	4/08/2015	516.92		072093		
I-CEFPPE 04042015	HEALTH INSURANCE	R	4/08/2015	1,572.92		072093		
I-CEOPPE 04042015	HEALTH INSURANCE	R	4/08/2015	2,193.66		072093		
I-CESPPE 04042015	HEALTH INSURANCE	R	4/08/2015	1,245.22		072093		
I-HECPPE 04042015	HEALTH INSURANCE	R	4/08/2015	776.32		072093		
I-HEFPPE 04042015	HEALTH INSURANCE	R	4/08/2015	3,544.62		072093		
I-HEOPPE 04042015	HEALTH INSURANCE	R	4/08/2015	1,886.80		072093		
I-HESPPE 04042015	HEALTH INSURANCE	R	4/08/2015	2,305.24		072093		
I-VECPPE 04042015	VISION INSURANCE	R	4/08/2015	7.54		072093		
I-VEFPPE 04042015	VISION INSURANCE	R	4/08/2015	84.35		072093		
I-VEOPPE 04042015	VISION INSURANCE	R	4/08/2015	46.70		072093		
I-VESPPE 04042015	VISION INSURANCE	R	4/08/2015	63.36		072093		
I-VLCPPE 04042015	LIFE INSURANCE	R	4/08/2015	0.32		072093		
I-VLEPPE 04042015	LIFE INSURANCE	R	4/08/2015	39.23		072093		
I-VLSPPE 04042015	LIFE INSURANCE	R	4/08/2015	1.61		072093		16,451.45
0054	#1 FOOD STORE							
I-MARCH 2015 FUEL	#1 FOOD STORE	R	4/07/2015	2,414.18		072095		2,414.18
0358	ARIZONA CAPITOL TIMES							
I-RENEWAL	ARIZONA CAPITOL TIMES	R	4/07/2015	259.00		072096		259.00
0010	ARIZONA PUBLIC SERVICE							
I-040215-0286	ARIZONA PUBLIC SERVICE	R	4/07/2015	2,607.61		072097		2,607.61
0010	ARIZONA PUBLIC SERVICE							
I-32615-6287	ARIZONA PUBLIC SERVICE	R	4/07/2015	417.45		072098		417.45
0010	ARIZONA PUBLIC SERVICE							
I-32715-5283	ARIZONA PUBLIC SERVICE	R	4/07/2015	6,821.56		072099		6,821.56
0018	ARIZONA DEPARTMENT OF REVENUE							
I-MAR 2015 TPT	ARIZONA DEPARTMENT OF REVENUE	R	4/07/2015	7,484.35		072100		7,484.35
0020	BEYOND EXPRESS II							
I-032715	BEYOND EXPRESS II	R	4/07/2015	206.70		072101		
I-040315	BEYOND EXPRESS II	R	4/07/2015	206.70		072101		413.40

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0015 I-34082	BOYLE, PECHARICH, CLINE, WHITT BOYLE, PECHARICH, CLINE, WHITT	R	4/07/2015	4,404.36		072102		4,404.36
0056 I-032515A	BUG-ME-NOT PEST CONTROL BUG-ME-NOT PEST CONTROL	R	4/07/2015	26.00		072103		26.00
0058 I-32515-249M	CENTURY LINK CENTURY LINK	R	4/07/2015	1,191.27		072104		1,191.27
0852 I-0005	DOUGLAS ALBERT FORERO DOUGLAS ALBERT FORERO	R	4/07/2015	300.00		072105		300.00
0743 I-030215	FRED E GOLDMAN FRED E GOLDMAN	R	4/07/2015	484.00		072106		484.00
0178 I-D703452	HD WATERWORKS, LTD. HD WATERWORKS, LTD.	R	4/07/2015	1,310.08		072107		1,310.08
0093 I-4404051	HILL BROTHERS CHEMICAL CO. HILL BROTHERS CHEMICAL CO.	R	4/07/2015	1,093.83		072108		1,093.83
0433 I-1552319	JOHN DEERE CREDIT JOHN DEERE CREDIT	R	4/07/2015	1,385.30		072109		1,385.30
0811 I-0188182-IN	KELLER ELECTRICAL INDUSTRIES I KELLER ELECTRICAL INDUSTRIES I	R	4/07/2015	3,864.83		072110		3,864.83
0849 I-S19/2738	KROHNE INC KROHNE INC	R	4/07/2015	1,015.97		072111		1,015.97
0700 I-546	LACHER HYDROLOGICAL CONSULTING LACHER HYDROLOGICAL CONSULTING	R	4/07/2015	9,197.55		072112		9,197.55
0025 I-1504378 I-1504382	LEGEND TECHNICAL SVC OF AZ, IN LEGEND TECHNICAL SVC OF AZ, IN LEGEND TECHNICAL SVC OF AZ, IN	R R	4/07/2015 4/07/2015	209.00 122.00		072113 072113		331.00
1 I-40115MUHS	MINGUS UNION HIGH SCHOOL FAC	R	4/07/2015	200.00		072114		200.00
0049 I-12092	NICE JONS, INC NICE JONS, INC	R	4/07/2015	71.08		072115		71.08

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0098	PITNEY BOWES, INC. I-382835	R	4/07/2015	127.94		072116		127.94
0079	SAFEGUARD I-030581349	R	4/07/2015	127.49		072117		127.49
0625	SC FUELS I-1362766-IN	R	4/07/2015	922.86		072118		922.86
0061	SEDONA RECYCLES, INC. I-CLARKDALE 415	R	4/07/2015	250.00		072119		250.00
0031	THE VERDE INDEPENDENT I-682353	R	4/07/2015	118.75		072120		118.75
0002	VERDE VALLEY HARDWARE							
	I-260153	R	4/07/2015	17.45		072121		
	I-260158	R	4/07/2015	61.30		072121		
	I-268174	R	4/07/2015	5.46		072121		
	I-268210	R	4/07/2015	8.73		072121		
	I-268222	R	4/07/2015	27.28		072121		
	I-268231	R	4/07/2015	31.60		072121		
	I-268233	R	4/07/2015	108.26		072121		
	I-268292	R	4/07/2015	0.35		072121		
	I-268313	R	4/07/2015	4.90		072121		
	I-268419	R	4/07/2015	47.48		072121		
	I-268488	R	4/07/2015	32.79		072121		
	I-268557	R	4/07/2015	15.83		072121		
	I-268779	R	4/07/2015	29.49		072121		
	I-268790	R	4/07/2015	29.50		072121		
	I-268836	R	4/07/2015	17.23		072121		
	I-268868	R	4/07/2015	13.42		072121		
	I-268895	R	4/07/2015	19.66		072121		
	I-268966	R	4/07/2015	112.59		072121		
	I-269104	R	4/07/2015	91.32		072121		
	I-269114	R	4/07/2015	94.70		072121		
	I-269117	R	4/07/2015	92.82		072121		
	I-269250	R	4/07/2015	11.26		072121		
	I-269296	R	4/07/2015	21.29		072121		
	I-269328	R	4/07/2015	43.72		072121		
	I-269487	R	4/07/2015	15.30		072121		
	I-269510	R	4/07/2015	3.59		072121		957.47

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0033 I-9742820857	VERIZON WIRELESS VERIZON WIRELESS	R	4/07/2015	479.72		072125		479.72
0034 I-20086	1ST CLASS HOSTING LLC 1ST CLASS HOSTING LLC	R	4/14/2015	5.00		072127		5.00
0012 I-9229/30815	ARIZONA MUNICIPAL RISK RETENTI ARIZONA MUNICIPAL RISK RETENTI	R	4/14/2015	25,863.00		072128		25,863.00
0019 I-MAR 2015 ST VIC	ARIZONA STATE TREASURER ARIZONA STATE TREASURER	R	4/14/2015	3,139.13		072129		3,139.13
0162 I-4132015 COURT	ARIZONA SUPREME COURT ARIZONA SUPREME COURT	R	4/14/2015	150.00		072130		150.00
1 I-40715-FAC DEP	BETH WIDKIFF FAC DEP REF	R	4/14/2015	50.00		072131		50.00
0020 I-41015	BEYOND EXPRESS II BEYOND EXPRESS II	R	4/14/2015	413.40		072132		413.40
0081 I-60845	BIG O TIRES BIG O TIRES	R	4/14/2015	594.53		072133		594.53
0015 I-34231 I-34232	BOYLE, PECHARICH, CLINE, WHITT BOYLE, PECHARICH, CLINE, WHITT BOYLE, PECHARICH, CLINE, WHITT	R R	4/14/2015 4/14/2015	235.40 2,984.95		072134 072134		3,220.35
0523 I-40815-CAB1	CABLE ONE CABLE ONE	R	4/14/2015	40.00		072135		40.00
0058 I-1335496678	CENTURY LINK CENTURY LINK	R	4/14/2015	73.87		072136		73.87
0045 I-MAR 2015 JCEF	CLARKDALE MAGISTRATE COURT CLARKDALE MAGISTRATE COURT	R	4/14/2015	14.00		072137		14.00
0192 C-034068 I-030466 I-030480 I-030666 I-031561 I-031635 I-031715 I-032101 I-032326 I-032383	COTTONWOOD AUTO PARTS, INC. COTTONWOOD AUTO PARTS, INC.	R R R R R R R R R R R	4/14/2015 4/14/2015 4/14/2015 4/11/2015 4/14/2015 4/14/2015 4/14/2015 4/14/2015 4/14/2015 4/14/2015 4/14/2015 4/14/2015	16.40CR 33.94 51.50 21.28 4.09 10.38 43.73 13.76 58.17 11.45		072138 072138 072138 072138 072138 072138 072138 072138 072138 072138 072138		

VENDOR SET: 01 Town of Clarkdale  
 BANK: PCOL POOLED CASH  
 DATE RANGE: 4/01/2015 THRU 4/30/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-032610	COTTONWOOD AUTO PARTS, INC.	R	4/14/2015	15.04		072138		
I-034028	COTTONWOOD AUTO PARTS, INC.	R	4/14/2015	95.00		072138		
I-034279	COTTONWOOD AUTO PARTS, INC.	R	4/14/2015	44.69		072138		386.63
0613	FELIX CONSTRUCTION COMPANY							
I-172701FEB2015	FELIX CONSTRUCTION COMPANY	R	4/14/2015	24,012.07		072140		24,012.07
0181	FOUR-D, LLC.							
I-482	FOUR-D, LLC.	R	4/14/2015	5,206.25		072141		5,206.25
0102	GALE							
I-54491738	GALE	R	4/14/2015	71.47		072142		
I-54726575	GALE	R	4/14/2015	46.78		072142		
I-54859735	GALE	R	4/14/2015	47.43		072142		165.63
0178	HD WATERWORKS, LTD.							
I-D734519	HD WATERWORKS, LTD.	R	4/14/2015	25.57		072143		25.57
0221	HEWLETT-PACKARD COMPANY							
I-IT20150316	HEWLETT-PACKARD COMPANY	R	4/14/2015	1,222.51		072144		1,222.51
0792	JONI WESTCOTT							
I-455568	JONI WESTCOTT	R	4/14/2015	35.94		072145		35.94
0108	KONICA MINOLTA, INC.							
I-233498977	KONICA MINOLTA, INC.	R	4/14/2015	319.42		072146		
I-233499155	KONICA MINOLTA, INC.	R	4/14/2015	55.37		072146		
I-233563532	KONICA MINOLTA, INC.	R	4/14/2015	142.43		072146		
I-233631854	KONICA MINOLTA, INC.	R	4/14/2015	233.43		072146		
I-233632020	KONICA MINOLTA, INC.	R	4/14/2015	233.43		072146		984.08
0053	NACKARD PEPSI COLA							
I-322221	NACKARD PEPSI COLA	R	4/14/2015	63.25		072148		63.25
0575	PIN CENTER							
I-0415008	PIN CENTER	R	4/14/2015	1,025.00		072149		1,025.00
0095	RDO EQUIPMENT CO							
I-P57713	RDO EQUIPMENT CO	R	4/14/2015	1,573.11		072150		1,573.11
0660	SEDONA-VERDE VALLEY TOURISM CO							
I-34	SEDONA-VERDE VALLEY TOURISM CO	R	4/14/2015	1,000.00		072151		1,000.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0334 I-3261277811	STAPLES ADVANTAGE, INC STAPLES ADVANTAGE, INC	R	4/14/2015	142.10		072152		142.10
0839 I-562005	TOMMY SHORT TOMMY SHORT	R	4/14/2015	60.00		072153		60.00
0042 I-010815	US POSTMASTER US POSTMASTER	R	4/14/2015	800.00		072154		800.00
0033 I-9743360045	VERIZON WIRELESS VERIZON WIRELESS	R	4/14/2015	634.84		072155		634.84
0043 I-12387-1556-7	WASTE MANAGEMENT WASTE MANAGEMENT	R	4/14/2015	510.44		072156		510.44
0158 I-MAR 2015 COURT	YAVAPAI COUNTY FINANCE DEPARTM YAVAPAI COUNTY FINANCE DEPARTM	R	4/14/2015	86.63		072157		86.63
0854 I-48	YAVAPAI COUNTY FREE LIBRARY DI YAVAPAI COUNTY FREE LIBRARY DI	R	4/14/2015	11.50		072158		11.50
0804 I-2305	YAVAPAI COURIER SERVICE YAVAPAI COURIER SERVICE	R	4/14/2015	96.00		072159		96.00
0733 I-041615	MIKE BRUNDRIDGE MIKE BRUNDRIDGE	R	4/16/2015	112.00		072160		112.00
0006 I-APRPPE 04182015 I-AFSPPE 04182015	AMERICAN FAMILY LIFE ASSURANCE AFLAC AFLAC POST TAX	R R	4/22/2015 4/22/2015	104.36 36.37		072161 072161		141.23
0075 I-T2 PPE 04182015	ARIZONA DEPARTMENT OF REVENUE- 13-052014X	R	4/22/2015	1,867.72		072162		1,867.72
0072 I-2HSPPE 04182015 I-HSAPPE 04182015	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH INSURANCE HEALTH SAVINGS ACCOUNT	R R	4/22/2015 4/22/2015	634.92 2,523.15		072163 072163		3,158.07
0009 I-PACPPE 04182015 I-PSRPPE 04182015	ARIZONA PUBLIC SAFETY RETIREME SYSTEM 105 SYSTEM 105	R R	4/22/2015 4/22/2015	420.12 4,939.13		072164 072164		5,359.25
0017 I-ICMPPE 04182015	ICMA RETIREMENT TRUST 457 301912	R	4/22/2015	1,199.38		072165		1,199.38

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0655	TIAA CREF FINANCIAL SERVICES I-TIAPPE 04182015 PLAN # 403695	R	4/22/2015	575.00		072166		575.00
0072	ARIZONA PUBLIC EMPLOYERS HEALTH							
	I-2ECPPE 04182015 HEALTH INSURANCE	R	4/22/2015	705.21		072167		
	I-2EFPPE 04132015 HEALTH INSURANCE	R	4/22/2015	537.24		072167		
	I-2ESPPE 04182015 HEALTH INSURANCE	R	4/22/2015	424.16		072167		
	I-CECPPE 04182015 HEALTH INSURANCE	R	4/22/2015	516.92		072167		
	I-CEFPPE 04182015 HEALTH INSURANCE	R	4/22/2015	1,572.92		072167		
	I-CEOPPE 04182015 HEALTH INSURANCE	R	4/22/2015	2,193.66		072167		
	I-CESPPE 04182015 HEALTH INSURANCE	R	4/22/2015	1,245.22		072167		
	I-HECPPE 04182015 HEALTH INSURANCE	R	4/22/2015	776.32		072167		
	I-HEFPPE 04182015 HEALTH INSURANCE	R	4/22/2015	3,544.62		072167		
	I-HEOPPE 04182015 HEALTH INSURANCE	R	4/22/2015	1,886.80		072167		
	I-HESPPE 04182015 HEALTH INSURANCE	R	4/22/2015	2,805.24		072167		
	I-VECPPE 04182015 VISION INSURANCE	R	4/22/2015	7.54		072167		
	I-VEFPPE 04182015 VISION INSURANCE	R	4/22/2015	64.35		072167		
	I-VEOPPE 04132015 VISION INSURANCE	R	4/22/2015	46.70		072167		
	I-VESPPE 04182015 VISION INSURANCE	R	4/22/2015	63.36		072167		
	I-VLCPPE 04182015 LIFE INSURANCE	R	4/22/2015	0.32		072167		
	I-VLEPPE 04182015 LIFE INSURANCE	R	4/22/2015	39.23		072167		
	I-VLSPPE 04182015 LIFE INSURANCE	R	4/22/2015	1.61		072167		16,451.45
1	AMERICAN HERITAGE I-4202015 FAC DEP RE	R	4/21/2015	300.00		072169		300.00
0010	ARIZONA PUBLIC SERVICE I-41615-0285 ARIZONA PUBLIC SERVICE	R	4/21/2015	1,521.73		072170		1,521.73
0427	BEDROCK LANDSCAPE MATERIALS & I-100184 BEDROCK LANDSCAPE MATERIALS &	R	4/21/2015	158.56		072171		158.56
0020	BEYOND EXPRESS II I-041715 BEYOND EXPRESS II	R	4/21/2015	206.70		072172		206.70
0523	CABLE ONE I-41515 CABLE ONE	R	4/21/2015	55.95		072173		55.95
0068	CHASE CREDIT CARD SERVICES							
	I-0094385 CHASE: HOME DEPOT	R	4/21/2015	255.03		072174		
	I-01396G CHASE: USPS	R	4/21/2015	7.82		072174		
	I-02697G CHASE: OFFICE MAX	R	4/21/2015	27.97		072174		
	I-03223G CHASE: WALMART	R	4/21/2015	88.56		072174		
	I-040215A CHASE: ALON NORTH	R	4/21/2015	14.52		072174		
	I-042015 CHASE: BEAVER CREEK GAS MART	R	4/21/2015	17.13		072174		
	I-0423488 CHASE: POSTLAYER	R	4/21/2015	11.45		072174		
	I-050538 CHASE: BURGER KING	R	4/21/2015	8.63		072174		
	I-07338G CHASE: WALMART	R	4/21/2015	48.12		072174		

VENDOR SET: 01 Town of Clarkdale  
 BANK: POOL POOLED CASH  
 DATE RANGE: 4/01/2015 THRU 4/30/2015

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-07445G	CHASE: WALMART	R	4/21/2015	44.18		072174		
I-07609G	CHASE: WALMART	R	4/21/2015	19.19		072174		
I-1000035377	CHASE: AZ OFFICE OF PEST MGMT	R	4/21/2015	75.00		072174		
I-1001135734	CHASE: IACP	R	4/21/2015	150.00		072174		
I-30670602SQ	CHASE: CHANNING BETE	R	4/21/2015	1,414.82		072174		
I-30881610	CHASE: START MEETING	R	4/21/2015	11.88		072174		
I-318535	CHASE: MAIN ST CAFE	R	4/21/2015	478.61		072174		
I-33015	CHASE: CHEVRON KAYENTA	R	4/21/2015	22.56		072174		
I-33115	CHASE: PALEY SELF SERVICE	R	4/21/2015	16.05		072174		
I-33115A	CHASE: GIANT FARMINGTON NH	R	4/21/2015	15.36		072174		
I-3622	CHASE: NEW RESOURCES GROUP	R	4/21/2015	48.65		072174		
I-40115	CHASE: ALTA CONVENIENCE	R	4/21/2015	24.12		072174		
I-40115A	CHASE: SHELL OIL	R	4/21/2015	17.17		072174		
I-40115B	CHASE: SINCLAIR BRADLEY	R	4/21/2015	30.04		072174		
I-40215	CHASE: ROUTE 66 TRAVEL	R	4/21/2015	32.14		072174		
I-4130890	CHASE: HOME DEPOT	R	4/21/2015	98.38		072174		
I-420531723814	CHASE: AQUARIUS CASINO	R	4/21/2015	21.23		072174		
I-48057	CHASE: EXTREME TACTICAL	R	4/21/2015	642.92		072174		
I-559222	CHASE: DEEP SURPLUS	R	4/21/2015	123.45		072174		
I-62317524	CHASE: BUILD-CHARGE.COM	R	4/21/2015	30.32		072174		
I-675	CHASE: AZ WATER ASSOC	R	4/21/2015	340.00		072174		
I-716373	CHASE: CABLEORGANIZER.COM	R	4/21/2015	59.97		072174		
I-8133184	CHASE: HOME DEPOT	R	4/21/2015	131.36		072174		
I-9483344	CHASE: CIRCLE K	R	4/21/2015	52.31		072174		
I-9706673	CHASE: TICKETPRINTING.COM	R	4/21/2015	56.72		072174		
I-APA74467CART	CHASE: AMERICAN PLANNING ASSO	R	4/21/2015	265.00		072174		
I-EB90908388	CHASE: GRAINGER	R	4/21/2015	33.16		072174		
I-INPUBLICSAFETY	CHASE: IN PUBLIC SAFETY	R	4/21/2015	7.00		072174		
I-MPP-58320	CHASE: SMARTSIGN	R	4/21/2015	404.20		072174		
I-WATER WKSHOP	CHASE: MUSEUM OF NO AZ	R	4/21/2015	195.00		072174		5,340.02
0045	CLARKDALE MAGISTRATE COURT							
I-33115	CLARKDALE MAGISTRATE COURT	R	4/21/2015	103.33		072180		103.33
0736	CREATIVE COMMUNICATIONS SALES							
C-359648	CREATIVE COMMUNICATIONS SALES	R	4/21/2015	97.47CR		072181		
I-358787	CREATIVE COMMUNICATIONS SALES	R	4/21/2015	9,086.33		072181		8,988.86
0093	HILL BROTHERS CHEMICAL CO.							
I-4404579	HILL BROTHERS CHEMICAL CO.	R	4/21/2015	984.45		072182		984.45
0070	HILLYARD							
I-601567086	HILLYARD	R	4/21/2015	197.98		072183		197.98

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0300	INTERNATIONAL INSTITUTE OF MUN							
I-1317-2015	INTERNATIONAL INSTITUTE OF MUN	R	4/21/2015	155.00		072181		
I-26896	INTERNATIONAL INSTITUTE OF MUN	R	4/21/2015	95.00		072184		250.00
0108	KONICA MINOLTA, INC.							
I-233563724	KONICA MINOLTA, INC.	R	4/21/2015	136.49		072185		136.49
0841	LAWS							
I-9353	LAWS	R	4/21/2015	1,049.00		072186		
I-9434	LAWS	R	4/21/2015	250.00		072186		
I-9435	LAWS	R	4/21/2015	633.64		072186		2,832.64
0534	LC DISTRIBUTION LLC							
I-119706	LC DISTRIBUTION LLC	R	4/21/2015	16.59		072187		16.59
0025	LEGEND TECHNICAL SVC OF AZ, IN							
I-1505481	LEGEND TECHNICAL SVC OF AZ, IN	R	4/21/2015	209.00		072188		209.00
0855	MOBILE CRIME SCENE ACADEMY LLC							
I-015-1956	MOBILE CRIME SCENE ACADEMY LLC	R	4/21/2015	425.00		072189		425.00
0696	NEXTCARE ARIZONA LLC							
I-5697375	NEXTCARE ARIZONA LLC	R	4/21/2015	52.00		072190		52.00
0049	NICE JONS, INC							
I-12505	NICE JONS, INC	R	4/21/2015	71.50		072191		
I-12514	NICE JONS, INC	R	4/21/2015	638.00		072191		709.50
0590	OCEAN BLUE CAR WASH							
I-MAR2015CARWASH	OCEAN BLUE CAR WASH	R	4/21/2015	100.00		072192		100.00
0161	PATRIOT DISPOSAL, INC.							
I-MAR 2015	PATRIOT DISPOSAL, INC.	R	4/21/2015	17,179.65		072193		17,179.65
0664	PUBLIC AGENCY TRAINING COUNCIL							
I-191394	PUBLIC AGENCY TRAINING COUNCIL	R	4/21/2015	295.00		072194		295.00
0296	RON EKHOLM							
I-69239305	RON EKHOLM	R	4/21/2015	7.18		072195		7.18
0806	SKAGGS COMPANIES INC							
C-2440408	SKAGGS COMPANIES INC	R	4/21/2015	237.89CR		072196		
I-2433089RI	SKAGGS COMPANIES INC	R	4/21/2015	720.67		072196		
I-2433288RI	SKAGGS COMPANIES INC	R	4/21/2015	839.33		072196		
I-2434906RI	SKAGGS COMPANIES INC	R	4/21/2015	839.33		072196		
I-2440408RI	SKAGGS COMPANIES INC	R	4/21/2015	1,077.59		072196		3,239.03

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0334 I-3262260549	STAPLES ADVANTAGE, INC STAPLES ADVANTAGE, INC	R	4/21/2015	53.18		072197		53.18
0154 I-40915-41515	THE UPS STORE THE UPS STORE	R	4/21/2015	59.75		072198		59.75
0663 I-8082713	TUTTLE AND SON TRANSMISSION AN TUTTLE AND SON TRANSMISSION AN	R	4/21/2015	128.14		072199		128.14
0253 I-025-121770	TYLER TECHNOLOGIES TYLER TECHNOLOGIES	R	4/21/2015	260.00		072200		260.00
0067 I-41515-7 LOC	UNISOURCE ENERGY SERVICES UNISOURCE ENERGY SERVICES	R	4/21/2015	282.23		072201		282.23
0342 I-7047	UNITED UNIFORMS UNITED UNIFORMS	R	4/21/2015	47.79		072202		47.79
1 I-000201504221913	HOFFITT, DWIGHT US REFUND	R	4/22/2015	23.58		072203		23.58
1 I-000201504221915	BEARD, CARYLL US REFUND	R	4/22/2015	18.07		072204		18.07
1 I-000201504221914	MONGINI HOUSE RENTAL US REFUND	R	4/22/2015	35.73		072205		35.73
1 I-000201504221916	SULLIVAN, CODI US REFUND	R	4/22/2015	100.00		072206		100.00
0325 I-518013042122015	A BETTER CONNECTION A BETTER CONNECTION	R	4/28/2015	152.00		072207		152.00
0010 I-042315-4284	ARIZONA PUBLIC SERVICE ARIZONA PUBLIC SERVICE	R	4/28/2015	26.12		072208		26.12
0010 I-42315	ARIZONA PUBLIC SERVICE ARIZONA PUBLIC SERVICE	R	4/28/2015	5,474.10		072209		5,474.10
0010 I-42315-5284	ARIZONA PUBLIC SERVICE ARIZONA PUBLIC SERVICE	R	4/28/2015	273.16		072210		273.16
0162 I-ESD2015382	ARIZONA SUPREME COURT ARIZONA SUPREME COURT	R	4/28/2015	250.00		072211		250.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0020	BEYOND EXPRESS II							
I-042415	BEYOND EXPRESS II	R	4/28/2015	206.70		072212		206.70
0056	BUG-ME-NOT PEST CONTROL							
I-042715A	BUG-ME-NOT PEST CONTROL	R	4/28/2015	45.00		072213		45.00
0053	CENTURY LINK							
I-041315-315B	CENTURY LINK	R	4/28/2015	225.95		072214		225.95
0039	CLARKDALE MUNICIPAL WATER UTIL							
I-42215	CLARKDALE MUNICIPAL WATER UTIL	R	1/28/2015	3,110.00		072215		3,110.00
0102	GALE							
I-54919537	GALE	R	4/28/2015	23.39		072216		23.39
1	JORDAN BAKER							
I-SELNA FIELD REPAY	REIMBURSE	R	4/28/2015	220.95		072217		220.95
1	LINDA MARTINEZ							
I-42715-MARTINEZ	FAC DEP REF	R	4/28/2015	300.00		072218		300.00
0026	LYNN'S SMALL ENGINES							
I-181972	LYNN'S SMALL ENGINES	R	4/28/2015	6.36		072219		6.36
0646	PRAXAIR DISTRIBUTION INC							
I-52413563	PRAXAIR DISTRIBUTION INC	R	4/28/2015	738.71		072220		
I-52485628	PRAXAIR DISTRIBUTION INC	R	4/28/2015	2,051.82		072220		2,790.53
0095	RDO EQUIPMENT CO							
I-P58628	RDO EQUIPMENT CO	R	4/28/2015	536.35		072221		536.35
0574	SHAW LAW FIRM PLLC							
I-041415	SHAW LAW FIRM PLLC	R	4/28/2015	697.50		072222		697.50
0581	SOUTHWESTERN ENVIRONMENTAL CON							
I-42115-141011CE	SOUTHWESTERN ENVIRONMENTAL CON	R	4/28/2015	328.50		072223		328.50
0334	STAPLES ADVANTAGE, INC							
I-3262980915	STAPLES ADVANTAGE, INC	R	4/28/2015	19.55		072224		
I-3262980916	STAPLES ADVANTAGE, INC	R	4/28/2015	75.68		072224		
I-3262980917	STAPLES ADVANTAGE, INC	R	4/28/2015	57.74		072224		152.97
0298	STARLIGHT PUBLISHING							
I-150279	STARLIGHT PUBLISHING	R	4/28/2015	810.96		072225		810.96

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0042	US POSTMASTER							
I-42215	US POSTMASTER	R	4/28/2015	750.00		072226		750.00
0856	VERDE RIVER INSTITUTE INC							
I-92383	VERDE RIVER INSTITUTE INC	R	4/28/2015	996.00		072227		996.00
0157	WALMART							
I-507600348371	WALMART	R	4/28/2015	78.56		072228		
I-508300107126	WALMART	R	4/28/2015	20.71		072228		
I-508300576603	WALMART	R	4/28/2015	125.53		072228		
I-508500396249	WALMART	R	4/28/2015	71.70		072228		
I-509000032641	WALMART	R	4/28/2015	144.04		072228		440.54
0353	YAVAPAI COUNTY SUPERIOR COURT							
I-41715-32015	YAVAPAI COUNTY SUPERIOR COURT	R	4/28/2015	44.39		072229		44.39

\* \* T O T A L S \* \*

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	131	240,439.00	0.00	240,439.00
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	5	97,324.04	0.00	97,824.04
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	

TOTAL ERRORS: 0

	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
VENDOR SET: 01 BANK: POOL TOTALS:	136	338,263.04	0.00	338,263.04
BANK: POOL TOTALS:	136	338,263.04	0.00	338,263.04
REPORT TOTALS:	148	338,263.04	0.00	338,263.04

T: ALL  
 ROLL NO#: 01  
 PERIOD BEGINNING: 3/22/2015  
 PERIOD ENDING: 4/04/2015

P R E L I M I N A R Y

CALC. CT.: 2

\*\*\* GRAND TOTALS \*\*\*

-----EARNINGS-----			----BENF/REIMB----		-----DEDUCTIONS-----				-----TAXES-----			
IC	HRS	AMOUNT	DESC	AMOUNT	CD	ABBV	EMPLOYEE	EMPLOYER	DESC	TAXABLE	EMPLOYEE	EMPLOYER
	616.00	21,362.90			2EC	2EC	12.32	692.92	FED W/H	60,983.59	5,638.72	
OR	2,432.50	43,165.98			2EF	2EF	15.58	521.66	ST WH AZ	60,983.59	1,908.12	
	73.50	2,121.02			2ES	2ES	9.00	415.16	FICA	70,632.82	4,379.24	4379.24
	15.00	455.63			2HS	2HS	238.00	396.92	MEDI	70,632.82	1,024.16	1024.16
	690.50	690.50			ACR	ACR		8.61				
	120.25	2,652.05			APR	APR	104.86					
	4.50	196.61			APS	APS	36.37					
OK	109.50	2,385.51			CEC	CEC	71.24	445.68				
	13.50	0.00			CEF	CEF	331.16	1241.76				
	4.25	129.14			CEO	CEO		2193.66				
					CES	CES	216.46	1028.76				
					HEC	HEC	40.02	736.30				
					HEF	HEF	284.52	3260.10				
					HEO	HEO		1886.80				
					HES	HES	184.14	2621.10				
					HSA	HSA	817.27	1705.88				
					ICM	ICMA	1041.69	157.69				
					LTD	STLTD	63.60	63.60				
					PAC	PSACR		483.96				
					PSR	PSR	1599.79	3496.37				
					SR	STRET	6082.86	6082.86				
					SRB	STRBB	349.89					
					TIA	TIAA	575.00					
					VEC	VEC	7.54					
					VEF	VEF	84.35					
					VEO	VEO	46.70					
					VES	VES	63.36					
					VLC	VLC	0.32					
					VLE	VLE	39.23					
					VLS	VLS	1.61					
ALS:	4,079.50	73,159.34		0.00			12316.88	27439.79			12,950.24	5403.40

-----DEPARTMENT RECAP-----									
PT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
	73,159.34	64,528.88	2,576.65	5,363.31	690.50	0.00	12,316.88	12,950.24	47,892.22
ALS	73,159.34	64,528.88	2,576.65	5,363.31	690.50	0.00	12,316.88	12,950.24	47,892.22

REGULAR INPUT: 49      MANUAL INPUT: 0      CHECK STUB COUNT: 0      DIRECT DEPOSIT STUB COUNT: 49

T: ALL  
 ROLL NO#: 01  
 PERIOD BEGINNING: 4/05/2015  
 PERIOD ENDING: 4/18/2015

P R E L I M I N A R Y

CALC. CT.: 1

\*\*\* G R A N D T O T A L S \*\*\*

-----EARNINGS-----			-----BENF/REIMB-----		-----DEDUCTIONS-----				-----TAXES-----			
IC	HRS	AMOUNT	DESC	AMOUNT	CD	ABBV	EMPLOYEE	EMPLOYER	DESC	TAXABLE	EMPLOYEE	EMPLOYER
	620.00	22,640.66			2EC	2EC	12.32	692.92	FED W/H	60,320.47	5,343.95	
IR	2,288.00	40,896.10			2EF	2EF	15.58	521.66	ST WH AZ	60,320.47	1,867.72	
	59.50	1,619.24			2ES	2ES	9.00	415.16	FICA	69,810.32	4,328.25	4328.25
	714.50	714.50			2HS	2HS	238.00	396.92	MEDI	69,810.32	1,012.23	1012.23
	263.00	5,215.44			APR	APR	104.86					
	16.00	552.00			APS	APS	36.37					
AK	30.00	568.46			CEC	CEC	71.24	445.68				
	4.00	130.44			CEF	CEF	331.16	1241.76				
					CEO	CEO		2193.66				
					CES	CES	216.46	1028.76				
					HEC	HEC	40.02	736.30				
					HEF	HEF	284.52	3260.10				
					HEO	HEO		1886.80				
					HES	HES	184.14	2621.10				
					HSA	HSA	817.27	1705.88				
					ICM	ICMA	1041.69	157.69				
					LTD	STLTD	62.43	62.43				
					PAC	PSACR		420.12				
					PSR	PSR	1550.49	3388.64				
					SR	STRET	5972.78	5972.78				
					SRB	STRBB	349.89					
					TIA	TIAA	575.00					
					VEC	VEC	7.54					
					VEF	VEF	84.35					
					VEO	VEO	46.70					
					VES	VES	63.36					
					VLC	VLC	0.32					
					VLE	VLE	39.23					
					VLS	VLS	1.61					
ALS:	3,995.00	72,336.84		0.00			12156.33	27148.36			12,552.15	5340.48

-----DEPARTMENT RECAP-----

PT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
	72,336.84	63,536.76	1,619.24	6,466.34	714.50	0.00	12,156.33	12,552.15	47,628.36
ALS	72,336.84	63,536.76	1,619.24	6,466.34	714.50	0.00	12,156.33	12,552.15	47,628.36

REGULAR INPUT: 53      MANUAL INPUT: 0      CHECK STUB COUNT: 0      DIRECT DEPOSIT STUB COUNT: 53

===== FUND TOTALS =====		
01	GENERAL FUND	251,943.07
03	HURF (STREETS)	21,588.66
04	DEVELOPMENT REIMBURSEMENT	3,813.45
11	SEWER FUND	35,132.55
12	TRASH FUND	21,684.35
13	WATER FUND	121,217.29
16	GRANTS FUND	10,038.55
19	CEMETERY	4,227.35
24	CAPITAL IMPROVEMENT	1,073.12
29	POLICE GRANTS	5,947.60
34	SCHOOL OFFICERS FUND	3,200.36
80	DONATION FUND	3,892.87
-----		
	GRAND TOTAL:	483,759.22
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**BOARD OF ADJUSTMENT**

**APRIL 22, 2015**

**NOTICE OF A REGULAR MEETING OF THE BOARD OF ADJUSTMENT OF THE TOWN OF CLARKDALE Pursuant to Resolution No. 215 of the Town of Clarkdale, and Section 38-431.02, Arizona Revised Statues, NOTICE IS HEREBY GIVEN that the Board of Adjustment of the Town of Clarkdale meeting scheduled for Wednesday, APRIL 22, 2015, at 6:00 p.m. in The Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ, is CANCELLED DUE TO LACK OF AN AGENDA ITEM.**

The undersigned hereby certifies that a copy of this notice was duly posted on the Town Hall bulletin board, located at 890 Main Street, Clarkdale, Arizona on the 22nd day of April, 2015 at 3:00 p.m.

**Dated this 22nd day of APRIL, 2015**

**TOWN OF CLARKDALE**

**By:**

*Vicki McReynolds*

Vicki McReynolds

Administrative Assistant II

**DRAFT**

***Design Review Board  
April 1, 2015***

**MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, APRIL 1, 2015, AT 6:30 P.M. IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.**

A **Regular Meeting** of the Design Review Board of the Town of Clarkdale was held on Wednesday, April 1, 2015, at 6:30 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

**BOARD MEMBERS:**

Chairperson	Robyn Prud'homme-Bauer	Present
Vice Chairperson	Marsha Foutz	Present
Board Members	Kerrie Snyder	Present
	Laura Jones	Present
	Mike Garvey	Present

**STAFF:** Community Development  
GIS/Planner II

Guss Espolt

**Others in Attendance:** None.

1. **AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:30 p.m.
2. **AGENDA ITEM: ROLL CALL:** The GIS/Planner II called roll.
3. **AGENDA ITEM: PUBLIC COMMENT:** The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit comments to **FIVE minutes**. **There was no public comment.**
4. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of March 4, 2015**. Board Member Snyder motioned to approve the Regular Meeting Minutes of March 4, 2015. Board Member Jones seconded the motion. The motion passed unanimously.
5. **AGENDA ITEM: REPORTS:**

**Chairperson and Member Report:**

- The Car Show and Welcome Home Vets functions held in the Town's complex went well.
- Art Show and Bird Festival discussed.
- Trail work continues to be done.

**Staff Report Updates:**

-Sylvia Bourde has now taken ownership of the Clarkdale Market. Staff has given her an application for a sidewalk café permit and shared with her the criteria. She is also thinking about a ribbon cutting and possible Locally Clarkdale YouTube shoot.

-Amber Godina has a home occupation called Violette's Fine Pastries. She takes orders by Facebook, phone and her Violette's Fine Pastries.com website. Purchased items can be picked up at the Clarkdale Caboose from 7:00 a.m. to 9:30 a.m.

-Monday, April 6<sup>th</sup> from 5:00 p.m. to 6:00 p.m. in the Men's Lounge there will be a Volunteer Appreciation Event for Board/Commission Members.

**6. NEW BUSINESS**

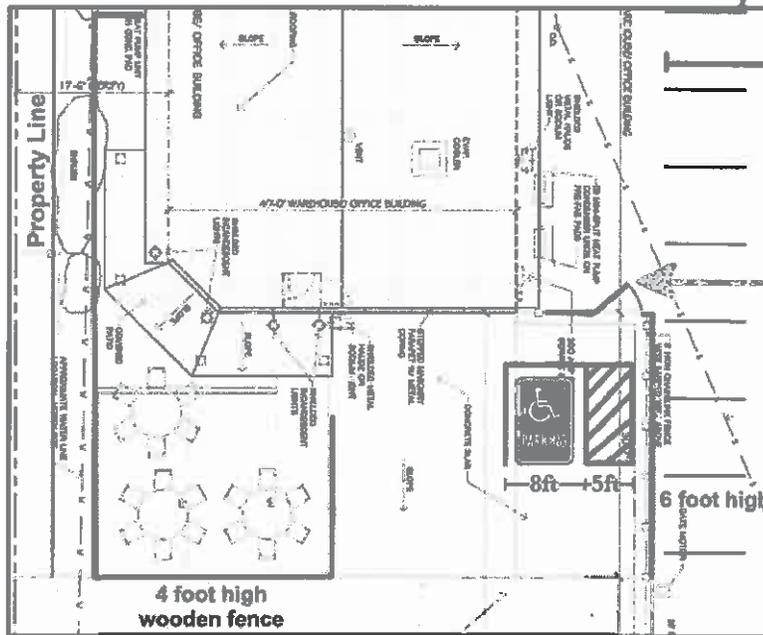
**AGENDA ITEM: DISCUSSION & POSSIBLE ACTION: DRB-091035.** Design review request for fencing, tables with umbrellas, chairs and modified parking for Chateau Tumbleweed, located at 1151 State Route 89A, Parcel #406-26-313A.

**Staff Report**

**Background:**

Mr. Jeff Hendricks has submitted an application to Design Review for fencing to provide a secure enclosure for outside seating and tables with umbrellas, and modified parking for customers and RVs at Chateau Tumbleweed, a new business located at 1151 State Route 89A.

1. The proposed fencing will be 110 linear feet of 4' high cedar fence around the outdoor seating area near the entrance. Seating will have three wood tables with a weighted umbrella and six wood chairs. (See attached renderings and photos.)
2. An additional 52 linear feet of 6' high cedar fencing and gate to access the parking lot without the need to walk through the entrance and exit to traffic. (See attached renderings.)



3. One ADA (American with Disabilities Act) 8' x 20' parking place with a 5' level access aisle on the right to be painted on the existing pavement, the parking spot will be less than 20 feet from the entrance. (See attached renderings.)
4. An additional 24 parking spots will be added by using used fire hose set in place by 8" nails to delineate 9' wide spaces by 20' deep, 3 RV parking spaces at 10' wide and 40' deep. All spaces will have railroad ties set in the ground with rebar at the head of each parking space.
5. Applicant will bring a landscaping plan and monument sign to the Design Review Board for review at a further date.

**Staff Analysis**

***Zoning Code Chapter 11, Section 11-1, A. Purpose and Applicability of Design Review:***

***A. This ordinance shall apply to new buildings and redevelopment as defined in this ordinance or the Town of Clarkdale Zoning Ordinance, except single family dwellings and accessory uses, and shall also apply to all public buildings and facilities. Structures (other than buildings), signs, landscaping, parking areas, public facilities and enclosures will be reviewed by the Design Review Board if a part of new building development or building redevelopment.***

***Zoning Code Chapter 4, Section 4-1 Off Street Parking and Loading.***

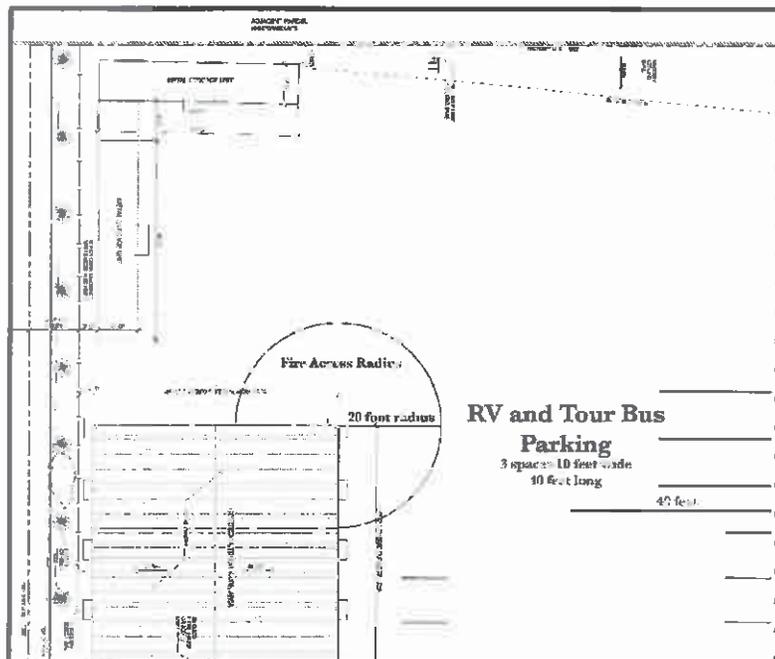
***1. Standard for off-street parking:***

**Design Review Board  
April 1, 2015**

**b. Restaurant, Bar, Nightclub = 1/4 seating capacity + 5 stacking sp. per drive-through lane.** The applicant's outside seating of 18 and indoor seating of 7 requires 7 parking spaces.

**e. Industrial Uses: Manufacturing, Fabrication = 1 / 1000 sq. ft., or 1.5 employees, which-ever is greater. Warehouse = 1 / 2000 sq. ft. + parking for vehicles used on site.** The 2355.3 sq. ft. warehouse requires 2 parking spaces, and the 2500 sq. ft. manufacturing area requires 3 parking spaces. Applicant has 24 proposed parking spaces, more parking spaces than Town Code required.

**Chief Moore of the Clarkdale Fire District is requiring a 20' radius from the south west corner of the shade structure to be provided for fire and emergency service accessibility.**



**Staff Recommendations**

Having met all code requirements, staff recommends the application as presented be approved with the following stipulations:

1. Installation of all fencing shall be inspected and approved by the Town's Building Official.
2. Applicant shall provide a 20' radius from the south west corner of the shade structure for fire and emergency service accessibility.

**Applicant Presentation:** Applicant was not present. Staff went over the packet with the applicant's information.

**Questions to Staff/Applicant:**

**Q.** Do the busses have to be shut off during the time they are parked?

**A.** The Staff will look in the Town Ordinance to secure an answer.

**Q.** Will applicant go back from Lisa all the way through?

**A.** No – the applicant has structures in their back lot. No access will go all the way through the back.

**Discussion:**

-Board Members like the visibility of the business from the road.

**Action:** Board Member Foutz motioned to approve DRB-091035, design review request for fencing, tables with umbrellas, chairs and modified parking for Chateau Tumbleweed, located at 1151 State Route 89A, Parcel #406-26-313A, as presented with the following Staff Stipulations: Having met all code requirements, staff recommends the application as presented be approved with the following stipulations:

1. Installation of all fencing shall be inspected and approved by the Town’s Building Official.

2. Applicant shall provide a 20’ radius from the south west corner of the shade structure for fire and emergency service accessibility.

Board Member Jones seconded the motion. The motion passed unanimously.

**7. AGENDA ITEM: FUTURE AGENDA ITEMS:**

-Chateau Tumbleweed/plants and monument sign

**8. AGENDA ITEM: ADJOURNMENT:** Board Member Snyder motioned to adjourn the meeting. Board Member Foutz seconded the motion. The motion passed unanimously. The meeting adjourned at 6:50 p.m.

**APPROVED BY:**

**SUBMITTED BY:**

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**Chairperson  
Robyn Prud’homme-Bauer**

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**Guss Espolt  
GIS/Planner II**

**MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, APRIL 21, 2015, IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.**

A Regular Meeting of the Planning Commission of the Town of Clarkdale was held on Tuesday, April 21, 2015, at 4:00 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

**Planning Commission:**

Vice Chairperson	Ida-Meri deBlanc	Present
Commissioners	Jorge Olguin	Present
	John Erickson	Present
	Craig Backus	Present

**Staff:**

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar

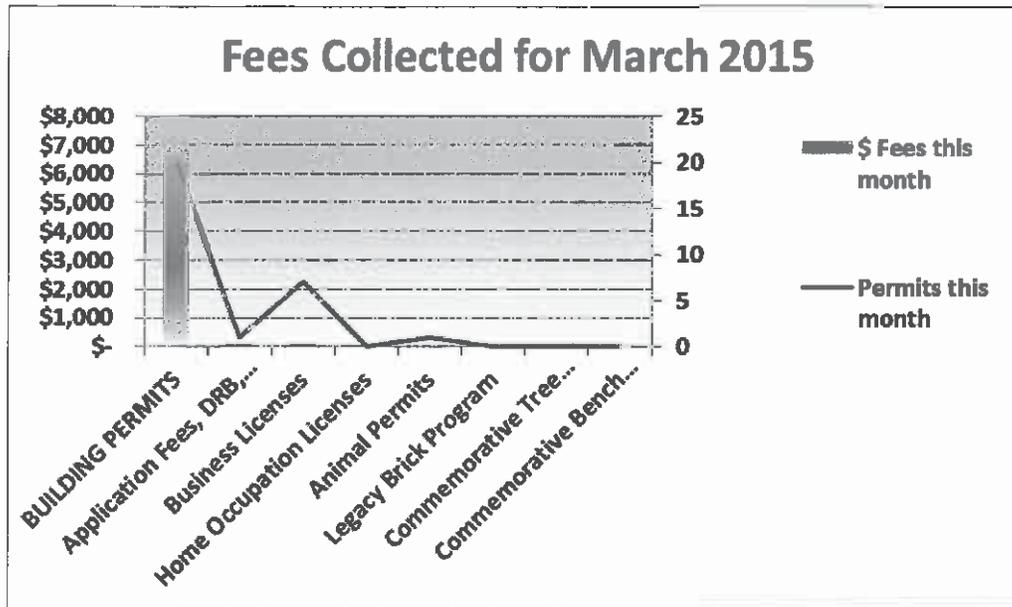
**Others in Attendance:** Robin and Curt Wilber, Ralph Clemmer.

1. **AGENDA ITEM: CALL TO ORDER:** Vice Chair de Blanc called the meeting to order at 4:00 p.m.
2. **AGENDA ITEM: ROLL CALL:** Director Filardo called the roll.
3. **AGENDA ITEM: PUBLIC COMMENT:** The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit his or her comments to FIVE MINUTES.

There was no public comment.

4. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of March 17, 2015**. The Vice Chair entertained a motion to accept the minutes. Commissioner Erickson motioned to approve the Regular Meeting Minutes of March 17, 2015. Commissioner Olguin seconded the motion. The motion passed unanimously.
5. **AGENDA ITEM: REPORTS:**
  - a. **Chairperson and Members Report- None**
  - b. **Director's Report**

**1. March 2015 Statistics.**



**2. Permits Issued.**

- Room addition at 139 Zuni Drive
- New single family home at 1205 Valley View Road (pending Fire District plan review)
- New mobile home in the Lampliter mobile home park
- Carport and accessory building at 2101 Old Jerome Highway
- Accessory structure at 1445 Minerich Road
- Kiln installation at 500 Fiesta Street
- Accessory structure at 941 Calle Figueroa
- Fence permit at 2060 Windy Street
- Grading permit at 999 Highway 89a
- Photovoltaic solar electric at 1360 Sam Court
- Porch cover at 1501 First South Street
- Remodel at 2226 Canyon Drive (formerly Norma Hale's property)
- Industrial remodel at 250 Rincon Drive (new home of Misany Engineering)
- Basement remodel at 261 Gale Avenue
- Accessory structure and electrical upgrade at 2215 Austin Way
- Re-roof at HUD home at 145 Zuni Drive

**Document display built by Paul Grasso  
Building Official.**



**ABOUT OUR DOCUMENT DISPLAY**

The main body of the display was created from wainscoting salvaged during a renovation of the ceiling of a storage room at 921 Main Street.

The uppermost horizontal wood is a recovered window sash from the Clarkdale Golf Course Club House. The lower horizontal piece behind the business cards tray was a remnant from the Clark Mansion Carriage House.

The hardware, light turquoise tile, and brick used as decoration came from the grounds of the Clark Mansion after the fire in 2010.

Small colorful pieces of slag are from the grounds of original smelter site.

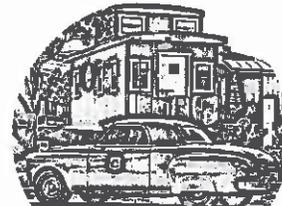
**DESIGNED AND BUILT BY BUILDING OFFICIAL PAUL GRASSO-2015**



3. **March 27<sup>th</sup> – SciTech EXPO at Yavapai College – a rousing success.** Thanks to the exceptional efforts of the Clarkdale business community, the Yavapai College staff and instructors and other interested companies and nonprofits from across Arizona, this year’s EXPO at the Verde Valley Campus of Yavapai College boasted increased participation and lots of fun. In addition to all the activities, there were 11 tablets given away to lucky participants visiting at least 6 events throughout the SciTech Festival week in the Verde Valley.

4. **Downtown Clarkdale Business Alliance.**  
Upcoming events:

a. May 9<sup>th</sup> – National Train Day celebration happens at the Verde Canyon Railroad and our first Verde Valley Open Air Cinema showing takes place at 6 PM Town Park in the evening. We’re planning on showing “North by Northwest” in honor of the day.



**National Train Day  
Clarkdale, Arizona**



b. June 20<sup>th</sup> – Dog Days of Summer happens along Main Street and in Town



Park. Celebrate with your doggie friends during the day and watch “Casablanca” in Town Park at night. Bandanas (one for \$3 or 2 for \$5) will serve as entry tickets for participation in the doggie events. Nick of Time Productions donated funds to sponsor a portion of the cost of the bandanas. Extra proceeds after cost recovery will be donated to the Verde Valley Humane Society. We’re even creating special Frisbees for the occasion – prices to be determined.

- 5. Staff has received very positive feedback from downtown businesses regarding the successful car show and poker stroll on Saturday, March 14. Downtown sidewalks were packed with happy people.



- 6. **Water projects.** Staff attended a presentation hosted by the Verde River Basin Partnership and delivered by Dr. Laurel Lacher on the comparison between her projections coaxed out of the Northern Arizona Regional Groundwater Flow Model (NARGFM) and the Central Yavapai Highlands Water Resource Management Study (CYHWRMS). A diverse population attended her presentation and the story is still the same – we must take action to better manage our precious resource.

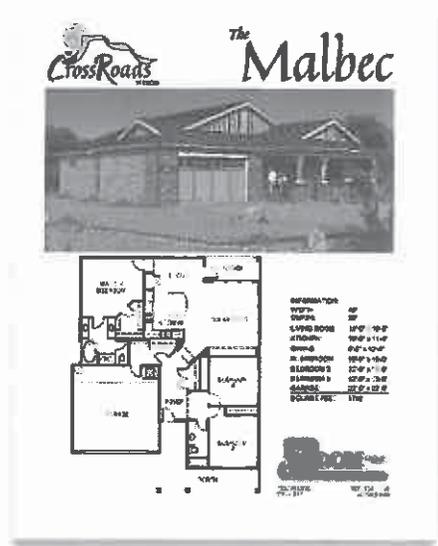
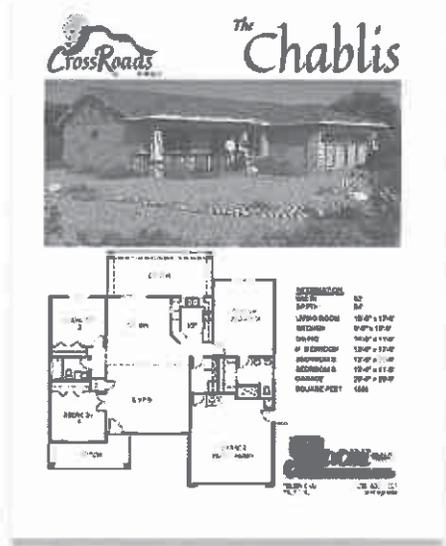
- 7. **Verde Valley Gigabit Project funders meeting.** Staff held a meeting with a team of interested parties to explore possibilities for obtaining funding to grow the broadband network in the region. In addition, the Stanley Group has been hired to engineer the SR 260 widening project in Camp Verde and a contact was provided so VVREO may coordinate their project with the widening project underway for ADOT.

- 8. **Verde Valley Gigabit Project Overview Sessions.** Thus far, Jodie has presented or is scheduled to present an overview of this project to the following council meetings:

DATE	LOCATION
February 10th	6 PM in Clarkdale – Town Council
February 25th	2 PM at Yavapai-Apache Nation – Tribal Council
March 10th	6 PM in Cottonwood – City Council - cancelled - sick
March 16th	9 AM in Cottonwood - Yavapai County Board of Supervisors
March 18th	2 PM in Clarkdale - Funders meeting
March 24th	4:30 PM in Sedona – City Council
April 5th	10 AM in Flagstaff – NACOG Economic Development Council
April 14th	7 PM in Jerome – Town Council

April 23rd	10 AM Flagstaff – NACOG Regional Development Council
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- 9. **Conditional Use Permit Application – Capital Telecom.** Following the recommendation of Planning Commission to send the application for a conditional use permit for a cell site at 1450 SR 89A to Council, the public hearing for this item has been placed on the agenda for the May 12<sup>th</sup> Council meeting.
- 10. **Crossroads at Mingus.** New realtor brochures for the building underway at Crossroads at Mingus were issued by PTM. Here's a sample of two of them for you. Send your friends ☺.



**6. OLD BUSINESS:**

a. **AGENDA ITEM: WORKSESSION:** Continuing discussion between the Planning Commission and stakeholders regarding the Clarkdale Parkway to Centerville Roundabout SR89A Focus Area.

- Summary of February meeting – 10 minutes
- Review of infrastructure – 20 minutes
- Review of Stakeholders specific challenges – 30 minutes
- Discuss Next Steps – 10 minutes

**Background:**

This will be the third meeting to discuss the Clarkdale Parkway to Centerville Road round-about focus area.

At the meeting in February, staff was directed to provide a more detailed map showing existing and future utility and infrastructure plans. Maps have been prepared showing known infrastructure. In addition, Guss Espolt, GIS/Planner II has been in contact with Unisource, natural gas provider and Cable One. Information regarding the availability of these services in the focus area will be presented at the meeting.

Each property owner/stakeholder was asked to make a list summarizing the specific challenges to developing their property.

This information will be reviewed at the April meeting.

As an update, staff had a conversation with the project development engineer out of ADOT's Prescott office, Mr. Randy Blake. He applauded the Town for being proactive in planning for this area. Mr. Blake stated ADOT encourages the development of 'backage' roads that run behind commercial developments along the highway as well as shared access for multiple properties. Mr. Blake will be invited to participate in the public meetings for this focus area.

**Recommendation:** Staff is asking the Planning Commission to move forward with preparations for the public meeting.

The Planning Commission and the stakeholders present had the following discussion:

- Need for extension of wastewater, gas and cable infrastructure from the north side of SR 89A to the south.
- #1 Food Store and new fire station will need to work together to extend sewer to the southeast corner of the Clarkdale Parkway roundabout.
- There are probably cable sleeves in the roads in Mountain Gate.
- Gas service is available on the north side of SR 89A. Types of commercial businesses that would need gas service include restaurants and hotels with pools.

- #1 Food Store has an aging septic system, would like to connect to the Town's wastewater system.
- Robin Wilber with #1 Food Store stated we need to develop a reason for people to view Clarkdale as a destination.
- Director Filardo informed the group that Century Link will be running fiber optic cable from SR 89A up Cement Plant Road to the cement plant. Century Link now has a representative in the area.
- Commissioner Erickson pointed out #1 Food Store is a great asset to the Town and we are seeing more development along the highway corridor.
- Vice Chair de Blanc stated we want to be prepared for the public session. We should stress to the public we don't want something unattractive to develop along this corridor so we would like to hear from the community how they would like this area to develop.
- Vice Chair de Blanc pointed out the importance of developing walkable communities.
- Commission Backus explained the benefit of this pre-planning process to identify challenges and motivate property owners to work together.
- The group discussed the proposed circulation plan with roads behind the commercial development.
- Vice Chair de Blanc encouraged shared parking.
- Ralph Clemmer pointed out the trails to be developed in the Mountain Gate subdivision. The group discussed the potential for connecting these trails to the sidewalks on SR 89A.
- Commissioner Olguin reminded the participants we need to state clear objectives when we present this process to the public.

**Planning Commission Action**

The Planning Commission directed staff to poll the stakeholders who had participated in earlier meetings but were unable to attend today's meeting to get their feedback on the issues discussed and to schedule the public meeting for some time in June.

**7. NEW BUSINESS:**

- a. AGENDA ITEM: WORKSESSION:** Discussion / possible action regarding proposed changes to Sections 3-9, 3-10, 3-11, 3-12 and 3-13 of the Town of Clarkdale Zoning Code regarding commercial zoning.

**Background:**

Staff is recommending a major overhaul of the portion of the zoning code related to commercial districts. These changes would impact the Central Business District, (CB), Section 3-9; the Town Center Commercial District (TCC), Section 3-10; the Commercial District (C), Section 3-11; the Neighborhood Commercial District (NC), Section 3-12 and the Highway Commercial District (HC), Section 3-13. In addition, changes are being suggested for the definitions section and site plan review section of the code to support the changes in commercial uses.

These changes are being recommended to improve the consistency of the code and to increase the ease of use.

Additionally, several new uses not currently included in the zoning district lists are being brought forward for adoption:

**Agricultural Uses**

The major change being proposed is to add agricultural uses to all commercial zoning districts. This change has been suggested by the Clarkdale Town Council during their strategic planning session this year.

In Clarkdale, agricultural uses are specifically listed as a principal use only in the Suburban Residential (RS3) Zoning District. The only area where this zoning exists is the National Forest property located on the south end of Clarkdale's municipal boundary. Within this zoning there is one privately held, approximately 130-acre parcel, in this zoning district.

The Clarkdale Zoning Code has consistently been interpreted as a hierarchical code. This means uses permitted in one district are determined to be permitted in the subsequent districts. However, the RS3 Zoning District was adopted into the zoning code after the establishment of the commercial district (C). The commercial district does not include any language indicating any principal permitted use allowed in any proceeding district is included in the commercial district. It is therefore unclear whether agricultural uses are permitted by right in the commercial district.

Food security and access to healthy food have been recognized as a priority by the Town since the adoption of the Sustainable Clarkdale Initiative in 2011. In January 2015 Town Council adopted the Local Food Days Proclamation in support of the Food and Farm Finance Forum hosted by the Town in January.

Large scale agricultural uses can impact surrounding properties and natural resources. Staff is suggestion adoption of specific criteria for the approval of an agricultural use. This criteria would be applied during a required site plan review.

The following changes are being suggested to allow for agricultural uses in commercial districts:

- Add agricultural uses to the Commercial and Highway Commercial District.
- Adopt definitions for various agricultural uses.
- Add specific requirements to Section 11-11 for site plan review of agricultural uses.
- Include requirements for a water/wastewater use plan during the site plan review.

The following code changes are recommended:

**Section 2-1 Definitions:**

**Agribusiness:** An enterprise deriving revenues from sales of agricultural products or sales to agricultural producers.

**Agriculture:** the growing, refining and distribution of plants, including flowers, fruits, trees and shrubs, herbs, and vegetables.

**Commercial agriculture:** The use of property for production of crops intended for distribution or sale.

**Community Garden:** Property shared by residents of Clarkdale to produce flowers, fruits, orchards and/or vegetables for personal use, education or decoration.

**Community Supported Agriculture (CSA):** A food distribution network consisting of growers and shareholders.

**Farmers Market:** An outdoor, periodic event, where farmers or producers gather to sell agricultural products directly to consumers.

Sections 3-9, 11, 12 & 13 add the following language:

A. Principal Uses permitted:

- o Agriculture
- o Greenhouses
- o Community Supported Agriculture disbursement location
- o Community Gardens
- o Farmers Markets
- o Agribusiness, including the processing and distribution on site of agricultural products. Refining and sales must be in a permanent structure.

**Amend Section 11-9: Purpose and Applicability for Site Plan Review**

Currently, 'agricultural activities, including agricultural buildings and structures are exempt from the site plan requirements of Section 11-9.B.3 of the Zoning Code. In staff's opinion, this type of business should require a higher level of review because of potential negative impact to the neighbors and environment. Staff is suggesting this exemption be deleted and the following language be added:

**Section 11-13 Approval Standards and Criteria for Site Plan Review**

**1.k** Agricultural Uses: Agricultural uses shall be designed to minimize impact on surrounding residential properties and the environment through incorporation of the following components:

- a) A connection to Town of Clarkdale water system is required, where connection is available within a reasonable distance as determined by the Town Manager. If connection to the Town's water system is not available, approval of agricultural uses irrigating with well water shall be metered and will be considered on a case by case basis at the Town Manager's discretion.
- b) All agricultural uses or products must be set back 25 feet from adjoining property lines when abutting residentially zoned property.
- c) Irrigation and drainage on site shall incorporate EPA Best Management Practices and not impact surrounding properties.
- d) Non-chemical pest control, such as the use of beneficial predators, beneficial parasitoids and biochemical methods, is strongly encouraged. Use of chemical pesticides and

herbicides shall follow EPA standards and include an integrated pest management (IPM) component. All chemicals shall be contained to the property under cultivation.

- e) If fertilizer and soil amendments are proposed, a plan outlining sustainable use must be included.
- f) In addition, a site plan application for Agricultural Uses shall include the following elements :
  - i) A comprehensive water use plan providing a balanced, sustainable approach to water use. Possible components of this plan include:
    - (a) Use of reclaimed (gray water or effluent) or raw water where available and suitable.
    - (b) A rainwater harvesting system component to supplement the irrigation system.
    - (c) Capture and reuse of all water runoff from site.
    - (d) Reduction of water evaporation from the soil.
    - (e) A drought resistance plan.
    - (f) Use of drip irrigation
  - ii) A dust control plan incorporating best management practices from the International Building Code. Only non-potable water shall be used for dust control measures.
- g) Flood irrigation is prohibited.

**Public Utilities:**

Staff is suggesting this use be added to the Commercial and Highway Commercial Districts as a conditional use. An example of a public utility is an APS electrical transfer station. This can be an important community asset, but may be seen as a nuisance to adjacent property owners. The conditional use permit process would allow for a process to mitigate concerns.

**Converting Conditional Uses to Permitted Uses:**

Staff is suggesting transferring two specific uses from the conditional use category to the permitted use category:

- Artist studio
  - Currently listed as a conditional use in the Highway and Neighborhood Commercial Zoning Districts.
- Convalescent Home
  - Listed as permitted use in the Commercial and Central Business District and a conditional use in the Highway and Neighborhood Commercial District.

In staff's opinion, these uses are no more intense than uses already permitted as principle uses in the commercial districts such as automobile sales and retail stores.

**List of suggested changes: (actual uses are underlined for clarity)**

- Alphabetize permitted uses.

- Add Agriculture as permitted uses.
- For the Commercial and Central Business District, move Artist Studios to a separate individual category (remove from list of Personal services). For the Highway Commercial and Neighborhood Commercial – move Artist Studios from conditional use to permitted use.
- Add Automobile parking lot to Highway Commercial District.
- Delete Parking structure or garages from Highway Commercial and add Public garage, including storage and repair.
- Add Park and ride facilities as a permitted use in Commercial and Neighborhood Commercial.
- Remove Banks and financial institutions from Highway and Neighborhood Commercial, incorporate into Professional offices, and keep two-story maximum for both districts.
- Remove Barbershops and beauty parlors from Highway and Neighborhood Commercial Districts, incorporate into Personal services use.
- Standardize language for Bed and Breakfast Country Inns.
- Add Commercial, Trade or Vocational schools as permitted uses to Highway and Neighborhood Commercial District. This category is currently a permitted use in the Commercial and Central Business District.
- Add Assisted living facilities including convalescent homes, hospice care and retirement centers as permitted uses to Highway and Neighborhood Commercial Districts (currently allowed with a CUP).
- Delete Dressmaking, et al, from Commercial and Central Business Districts and incorporate new Personal Services category.
- Add separate category for Small Appliance, et al for all districts.
- Add Funeral Parlors (without a crematorium) to all districts as a separate category – remove from Personal Services.
- Delete Microbrewery, with or without food from Neighborhood Commercial – this is covered under Manufacturing, production and assembly of boutique consumable products.

- Add Museums to Commercial and Central Business Districts. (This is a use we have in the Central Business District that is not specifically listed.)
- Add Manufacturing, production, and assembly of boutique consumable products to Highway and Neighborhood Commercial. This is currently a permitted use in the Commercial and Central Business District.
- Add Public garage, including storage and repair as permitted use in Highway Commercial.
- Allow alcohol service in restaurants in Highway and Neighborhood Commercial to standardize language across all commercial districts.
- Standardize language for Retail sales.
- Consolidate language for Residential uses into to one category including single family and multi-family, excluding mobile and manufactured homes.
- Remove Storage facilities from publicly owned, etc., to separate category in Commercial District.
- Replace Self-storage units with Storage facilities in Highway Commercial.
- Add Convenience stores/ with bulk storage of inflammable materials as a conditional use in Commercial District, add filling station language to this use in Commercial, Highway and Neighborhood Commercial, delete Filling station in Commercial and Highway.
- Add child or adult language to Day Care Center in Commercial and Central Business District.
- Add Public utilities as conditional use in Commercial and Highway Commercial Districts. (Another assumed permitted use that is not listed.)
- Add Medical Facilities as a conditional use for all commercial districts. Staff is suggesting this be added as a conditional use since the CUP process would allow discussion regarding items specific to a medical facility, such as hazardous material management.
- Delete Treatment facility as conditional use in Highway Commercial.
- Standardize language for wholesale establishments. Add Wholesale establishments and warehouses with no outside storage to Commercial District as a conditional use.

- Delete Convalescent home or retirement village language from conditional uses and add convalescent homes and retirement centers as permitted uses in all four commercial districts.
- Add Any use listed but determined by the Community Development Director to be similar to Commercial District and standardize this language for all districts.

### **Town Center Commercial**

In addition to the above changes, staff is recommending the Town Center Commercial Zone be eliminated. This zoning classification was adopted in 2006 at the same time the Highway, Neighborhood and 89A Highway Corridor Overlay District were adopted. There is currently no property within Town boundaries with the Town Center Zoning and it is not specifically referenced in the General Plan. It appears to be superfluous to the code.

### **Development Standards**

Staff recognizes the development standards, such as setbacks and lot coverage, for all commercial zones are in need of clarification and standardization across the four commercial districts. In order to avoid Prop 207 issues with any changes, staff is suggesting the adoption of overlay districts that provide specific standards for each area. These can be defined as we adopt the specific focus area plans.

### **Summary**

The changes being proposed provide clarification to the existing code and should make it easier to use by the public and staff. By combining specific uses, such as dressmaking, into a broader category, such as personal services, there is less likelihood a specific use that may be appropriate will be eliminated or overlooked. By adding additional uses, such as agriculture, the code addresses current trends in land use.

**Recommendation:** During this worksession, staff would like to present the suggested changes in general to receive initial feedback from the Commission. Staff would then compose an actual ordinance for discussion and review by the Planning Commission in a public hearing. Staff is requesting the Planning Commission review the material and provide direction on how to proceed.

The Commission discussed the following:

- The Commission agreed the proposed restructuring of the Zoning Code made sense to produce a more usable document.
- Commission Olguin suggested the categories of uses be kept broad to avoid missing a potential use.

### **Planning Commission Action**

The Commission directed staff to incorporate the proposed changes into the actual code format and bring back to the Commission for a worksession with further discussion in May.

**8. AGENDA ITEM: FUTURE AGENDA ITEMS**

None.

- 9. AGENDA ITEM: ADJOURNMENT:** The Vice Chairperson entertained a motion for adjournment. Commissioner Olguin motioned to adjourn the meeting. Commissioner Erickson seconded the motion. The motion passed unanimously. The meeting adjourned at 6:00 p.m.

**APPROVED BY:**

**SUBMITTED BY:**

\_\_\_\_\_  
Ida de Blanc  
Vice -Chairperson

\_\_\_\_\_  
Beth Escobar  
Senior Planner

**NOTICE OF A REGULAR MEETING  
OF THE PARKS AND RECREATION COMMISSION  
OF THE TOWN OF CLARKDALE**

In accordance with Resolution #215 of the Town of Clarkdale, and Section 38-431.02, Arizona Revised Statutes,

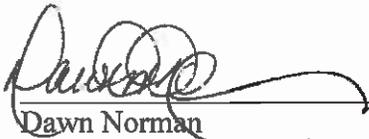
**NOTICE IS HEREBY GIVEN** that the Parks and Recreation Commission of the Town of Clarkdale will hold a Regular Meeting on Wednesday, April 8, 2015, at 5:30 p.m., in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

**MEETING CANCELLED**

The undersigned hereby certifies that a copy of this notice was duly posted on the Community Development Building bulletin board, located at 890 Main Street, Clarkdale, Arizona on the 1<sup>st</sup> day of April, 2015, at 10:00 a.m.

Dated this 1<sup>st</sup> day of April, 2015.

By:

  
\_\_\_\_\_  
Dawn Norman  
Community Services Supervisor



# Staff Report

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**Agenda Item:**            **Memorandum of Understanding (MOU) between Northern Arizona Council of Governments (NACOG), Yavapai County and the Town of Clarkdale – Approval of a MOU identifying general responsibilities of participating agencies regarding the Highway Safety Improvement (HSIP) Transportation Improvement Program (TIP) to perform signage upgrades/rehabilitation for the purpose of reducing traffic fatalities and serious injuries on public roads.**

**Staff Contact:**            Art Durazo, Public Works Superintendent

**Meeting Date:**            May 12, 2015

**Background:**            Congress has established the Highway Safety Improvement Program (HSIP) as a core federal aid for the specific purpose of achieving a significant reduction in traffic fatalities and serious injuries on public roads. The State, the Federal Highway Administration and the NACOG have identified systematic improvements within the NACOG as eligible for the funding.

The improvements proposed in the “Project” include upgrading regulatory warning and street name signs located within the regional, city and town limits. The State has completed and will provide the design; the State will advertise, bid, award and administer the construction of the Project.

NACOG is entering into multi-agency Memorandums of Understandings with its member agencies to develop a Project scope of work mutually serving the interests of the participating agencies.

**Recommendation:**    Staff recommends Town Council approval of a Memorandum of Understanding (MOU) between Northern Arizona Council of Governments (NACOG), Yavapai County and the Town of Clarkdale identifying general responsibilities of participating agencies regarding the Highway Safety Improvement (HSIP) Transportation Improvement Program (TIP) to perform signage upgrades/rehabilitation for the purpose of reducing traffic fatalities and serious injuries on public roads.

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made and entered into effective as of the \_\_\_ day of \_\_\_\_\_, 201\_\_ (the "Effective Date"), by and between the Northern Arizona Council of Governments ("NACOG"), a not-for-profit agency, and Yavapai County, ("County"), and NACOG member government.

### RECITALS

WHEREAS, the Arizona Department of Transportation ("ADOT") administers the Highway Safety Improvement Program ("HSIP") on behalf of the United States Department of Transportation - Federal Highway Administration ("USDOT-FHWA") for the purpose of reducing traffic fatalities and serious injuries on public roads; and

WHEREAS, NACOG coordinates with ADOT and local member governments ("Members") in a four-county region to identify, prioritize, and program HSIP projects during the State fiscal cycle; and

WHEREAS, the NACOG Partners identified roadway signage upgrades or rehabilitation as appropriate application of HSIP funds; and

WHEREAS, NACOG entered into Joint-Project Agreement ("JPA") with ADOT on behalf of 10 Participating Agencies in order to accelerate the completion of a multi-agency sign inventory project ("Project").

WHEREAS, NACOG is the sponsor to procure roadway signage on behalf of the Partners; and

WHEREAS, pursuant to ADOT policy, HSIP procurement projects are required to be separated into two phases (Design, Construction) with each phase to be programmed in the Regional TIP as such; and

WHEREAS, NACOG has successfully programmed funding in the TIP to meet ADOT's expectations as described above; and

WHEREAS, the ADOT Joint Project Agreement ("JPA") requires the project sponsor to grant the State, its agents and/or contractors, without cost, the right to enter rights-of-way, as required, to conduct any and all construction and preconstruction related activities, including without limitation, temporary construction easements or temporary rights of entry to accomplish among other things, soil and foundation investigations; and

WHEREAS, permissions to access local rights-of-way is granted by local government partners via their own permitting process;

NOW, THEREFORE, THE PARTICIPATING AGENCIES AGREE AS FOLLOWS

**SECTION 1 – PURPOSE.** The Participating Agencies agree to formalize a multi-agency partnership by identifying general responsibilities of the Participating Agencies.

**SECTION 2 – NACOG RESPONSIBILITIES**

- 2.1 Coordinate with ADOT to procure qualified consultant(s) to perform the Project on behalf of the Participating Agencies.
- 2.2 Coordinate with Participating Agencies to develop a Project scope of work mutually serving the interests of the Participating Agencies.
- 2.3 Adhere to the rules and regulations set forth in the JPA.
- 2.4 Facilitate the programming of funds in the regional Transportation Improvement Program (“TIP”) to perform signage upgrades/rehabilitation within ten (10) years from the start date of this Project.
- 2.5 Serve as a project procurement sponsor on behalf of participating member agencies.

**SECTION 3 – LOCAL MEMBER GOVERNMENT RESPONSIBILITIES**

- 3.1 Collaborate with NACOG to develop a Project scope mutually serving local interests.
- 3.2 When applicable, liaise with consultant(s) to facilitate completion of the Project.
- 3.3 Program HSIP funds in the regional TIP to perform signage upgrades/rehabilitation within ten (10) years from the start date of the Project.
- 3.4 Reimburse NACOG and/or ADOT for applicable expenses if Member is unable to complete signage upgrades/rehabilitation within the schedule identified in Section 3.3.
- 3.5 Follow all applicable federal and state rules, regulations and responsibilities regarding the use of federal funds.
- 3.7 Adhere to stipulations in the ADOT JPA including the following:
  - 3.7.1 Certify that all necessary rights-of-way have been or will be acquired prior to advertisement for bid and also certify that all

obstructions or unauthorized encroachments of whatever nature, either above or below the surface of the Project area, shall be removed from the proposed right-of-way, or will be removed prior to the start of construction, in accordance with The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR 24.102 Basic Acquisition Policies; 49 CFR 24.4 Assurances, Monitoring and Corrective Action, parts (a) & (b) and ADOT ROW Manual: 8.02 Responsibilities, 8.03 Prime Functions, 9.07 Monitoring Process and 9.08 Certification of Compliance. Coordinate with the appropriate State's Right-of-Way personnel during any right-of-way process performed by the local government, if applicable.

3.7.2 Not permit or allow any encroachments upon or private use of the right-of-way, except those authorized by permit. In the event of any unauthorized encroachment or improper use, the *LOCAL* shall take all necessary steps to remove or prevent any such encroachment or use.

3.7.3 Grant the State, its agents and/or contractors, without cost, the right to enter local rights-of-way, as required, to conduct any and all construction and preconstruction related activities, including without limitation, temporary construction easements or temporary rights of entry to accomplish among other things, soil and foundation investigations.

#### **SECTION 4 – TERM & TERMINATION.**

4.1 The term of this MOU shall be from the authorized signature date through the completion of the Project, and may be terminated by agreement of Participating Agencies or superseding MOU's.

#### **SECTION 5 – GENERAL PROVISIONS.**

5.1 Incorporation of Recitals and Exhibits. The Recitals are acknowledged by the Participating Agencies to be substantially true and correct, and are hereby incorporated as agreements of the Parties. All exhibits referenced herein and attached hereto, are hereby incorporated into this MOU.

5.2 Entire Agreement. This MOU constitutes the entire understanding of the Participating Agencies and supersedes all previous

representations, written or oral, with respect to the services specified herein. This MOU may not be modified or amended, except by written documents, signed by authorized representatives of each Party.

- 5.3 Arizona Law. This MOU shall be governed and interpreted according to the laws of the State of Arizona.
- 5.4 Modifications. Except as otherwise specifically provided in this MOU, any amendment, modification or variation from the terms of this MOU shall be in writing and shall be effective only after written approval of all Parties.

IN WITNESS WHEREOF, the Parties have executed this MOU effective as of the Effective Date set forth above.

NACOG:

LOCAL MEMBER GOVERNMENT:

By: \_\_\_\_\_  
Chis Fetzer, Executive Director

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

ADOT CAR No.: IGA /JPA 14-0004958-I  
AG Contract No.: P001 2015 000378  
Project: Regional Sign Project  
Section: Various Locations  
Federal-aid No.: NAC-0(201)T  
ADOT Project No.: SH630 01C  
TIP/STIP No.: NAC 14-011D  
CFDA No.: 20.205 - Highway Planning  
and Construction  
Budget Source Item No.: N/A

## INTERGOVERNMENTAL AGREEMENT

BETWEEN  
THE STATE OF ARIZONA  
AND  
THE NORTHERN ARIZONA COUNCIL OF GOVERNMENTS

**THIS AGREEMENT** is entered into this date \_\_\_\_\_, 2015, pursuant to the Arizona Revised Statutes §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State" or "ADOT") and the THE NORTHERN ARIZONA COUNCIL OF GOVERNMENTS, acting by and through its Regional Council ("NACOG"). The State and the NACOG are collectively referred to as "Parties."

### I. RECITALS

1. The State is empowered by Arizona Revised Statutes § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The NACOG is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the NACOG.
3. Congress has established the Highway Safety Improvement Program (HSIP) as a core federal-aid for the specific purpose of achieving a significant reduction in traffic fatalities and serious injuries on public roads. The State, the Federal Highway Administration (FHWA) and the NACOG have identified systematic improvements within the NACOG as eligible for this funding.
4. The improvements proposed in this Agreement, hereinafter referred to as the "Project," include upgrading regulatory warning and street name signs located within the regional, city and town limits (multiple agencies). This includes the procurement mounting hardware. The State has completed and will provide the design; the State will advertise, bid, award and administer the construction of the Project. The Project will be performed, completed, accepted and paid for in accordance with the requirements of the Project plans and specifications.
5. NACOG has entered into a multi-agency Memorandum of Understanding (MOU) with its member agencies, attached as Exhibit A, to develop a Project scope of work mutually serving the interests of the Participating Agencies.
6. The interest of the State in this Project is the acquisition of federal funds for the use and benefit of the NACOG and to authorize such federal funds for the Project pursuant to federal law and regulations. The State shall be the designated agent for the NACOG for the Project, if the Project is approved by FHWA and funds for the Project are available.

7. The Parties shall perform their responsibilities consistent with this Agreement; any change or modification to the Project will only occur with the mutual written consent of both Parties.

8. The federal funds will be used for construction of the Project, including the construction engineering and administration cost (CE). The estimated Project costs are as follows:

**SH630 01C (construction):**

Federal-aid funds @ 100% (capped)	\$ 604,607.00
<b>TOTAL Estimated Project Cost</b>	<b>\$ 604,670.00</b>

The Parties acknowledge that the final Project costs may exceed the initial estimate(s) shown above, and in such case, the NACOG is responsible for, and agrees to pay, any and all eventual, actual costs exceeding the initial estimate. If the final bid amount is less than the initial estimate, the difference between the final bid amount and the initial estimate will be de-obligated or otherwise released from the Project. The NACOG acknowledges it remains responsible for, and agrees to pay according to the terms of this Agreement, any and all eventual, actual costs exceeding the final bid amount.

**THEREFORE**, in consideration of the mutual Agreements expressed herein, it is agreed as follows:

**II. SCOPE OF WORK**

1. The State will:

a. Upon execution of this Agreement, be the designated agent for the NACOG for the Project, if the Project is approved by FHWA and funds for the Project are available.

b. Submit all documentation required to FHWA with the recommendation that funding be approved for construction. Request the maximum programmed federal funds for the construction of this Project. Should costs exceed the maximum federal funds available, it is understood and agreed that the NACOG will be responsible for any overage.

c. Upon FHWA authorization, with the aid and consent of the NACOG, proceed to advertise for, receive and open bids, subject to the concurrence the NACOG to whom the award is made, and enter into a contract(s) with a firms(s) for the installation of the Project.

d. Be granted without cost, the right to enter rights-of-way, as required, to conduct any and all construction and preconstruction related activities, including without limitation, temporary construction easements or temporary rights of entry to accomplish among other things, soil and foundation investigations.

e. Notify the NACOG that the Project has been completed and is considered acceptable, coordinating with the NACOG as appropriate to turn over full responsibility of the Project improvements.. De-obligate or otherwise release any remaining federal funds from the construction phase of the Project within ninety (90) days of final acceptance.

f. Not be obligated to maintain said Project, should the NACOG fail to budget or provide for proper and perpetual maintenance as set forth in this Agreement.

2. The NACOG will:

a. Upon execution of the Agreement, designate the State as authorized agent for the NACOG for the Project.

b. Review design plans, specifications and other such documents and services required for the construction bidding and installation of the Project, including scoping/design plans and documents required by FHWA to qualify projects for and to receive federal funds. Provide design review comments to the State as appropriate.

c. Be responsible for all costs incurred in performing and accomplishing the work as set forth under this Agreement, not covered by federal funding. Should costs be deemed ineligible or exceed the maximum federal funds available, it is understood and agreed that the NACOG is responsible for these costs, payment for these costs shall be made within thirty (30) days of receipt of an invoice from the State.

d. As described in Exhibit A, ensure that each applicable member agency certifies that all necessary rights-of-way have been or will be acquired prior to advertisement for bid and that all obstructions or unauthorized encroachments of any nature, either above or below the surface of the Project area, shall be removed from the proposed right-of-way, or will be removed prior to the start of construction, in accordance with The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended; 49 CFR 24.102 Basic Acquisition Policies; 49 CFR 24.4 Assurances, Monitoring and Corrective Action, parts (a) & (b) and ADOT ROW Manual: 8.02 Responsibilities, 8.03 Prime Functions, 9.07 Monitoring Process and 9.08 Certification of Compliance. Coordinate with the appropriate State's Right-of-Way personnel during any right-of-way process performed by the NACOG, if applicable.

e. As described in Exhibit A, ensure that each applicable member agency will not permit or allow any encroachments upon or private use of the right-of-way, except those authorized by permit. In the event of any unauthorized encroachment or improper use, the NACOG shall take all necessary steps to remove or prevent any such encroachment or use.

f. As described in Exhibit A, ensure that each applicable member agency grants the State, its agents and/or contractors, without cost, the right to enter NACOG rights-of-way, as required, to conduct any and all construction and preconstruction related activities, including without limitation, temporary construction easements or temporary rights of entry to accomplish among other things, soil and foundation investigations.

g. Be obligated to incur any expenditure should unforeseen conditions or circumstances increase the cost of said work required by a change in the extent of scope of the work requested by the NACOG. Such changes require the prior approval of the State and FHWA. Be responsible for any contractor claims for additional compensation caused by Project delays attributable to the NACOG, payment for these costs shall be made within thirty (30) days of receipt of an invoice from the State.

h. Upon notification of Project completion, agree to accept, maintain and assume full responsibility of the Project in writing

### **III. MISCELLANEOUS PROVISIONS**

1. The terms, conditions and provisions of this Agreement shall remain in full force and effect until completion of said Project and related deposits or reimbursement, except any provisions for maintenance shall be perpetual, unless assumed by another competent entity. Further, this Agreement may be cancelled at any time prior to the award of the Project construction contract, upon thirty (30) days written notice to the other party. It is understood and agreed that, in the event the NACOG terminates this Agreement, the NACOG will be responsible for all costs incurred by the State up to the time of termination. It is further understood and agreed that in the event the NACOG terminates this Agreement, the State shall in no way be obligated to maintain said Project.

2. The State assumes no financial obligation or liability under this Agreement, or for any resulting construction Project. The NACOG, in regard to the NACOG's relationship with the State only, assumes full responsibility for the design, plans, specifications, reports, the engineering in connection therewith and the construction of the improvements contemplated, cost over-runs and construction claims.\* It is understood and agreed that the State's participation is confined solely to securing federal aid on behalf of the NACOG and the fulfillment of any other responsibilities of the State as specifically set forth herein; that any damages arising from carrying out, in any respect, the terms of this Agreement or any modification thereof shall be solely the liability of the NACOG and that to the extent permitted by law, the NACOG hereby agrees to save and hold harmless, defend and indemnify from loss the State, any of its departments, agencies, officers or employees from any and all liability, costs and/or damage incurred by any of the above arising or resulting from this Agreement; and from any other liability, damage to any person or property whatsoever, which is caused by any activity, condition, misrepresentation, directives, instruction or event arising out of the performance or non-performance of any provisions of this Agreement by the State, any of its departments, agencies, officers and employees, or its independent contractors, the NACOG, any of its agents, officers and employees, or its independent contractors. Costs incurred by the State, any of its departments, agencies, officers or employees shall include in the event of any action, court costs, and expenses of litigation and attorneys' fees.

3. The cost of construction and construction engineering work under this Agreement is to be covered by the federal funds set aside for this Project, up to the maximum available. The NACOG acknowledges that the eventual actual costs may exceed the maximum available amount of federal funds, or that certain costs may not be accepted by the federal government as eligible for federal funds. Therefore, the NACOG agrees to furnish and provide the difference between actual Project costs and the federal funds received.

4. Should the federal funding related to this Project be terminated or reduced by the federal government, or Congress rescinds, fails to renew, or otherwise reduces apportionments or obligation authority, the State shall in no way be obligated for funding or liable for any past, current or future expenses under this agreement.

5. The cost of the project under this Agreement includes indirect costs approved by FHWA, as applicable.

6. The Parties warrant compliance with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 Amendments (the "Act"). Additionally, in a timely manner, the NACOG will provide information that is requested by the State to enable the State to comply with the requirements of the Act, as may be applicable.

7. The NACOG acknowledges compliance with federal laws and regulations and may be subject to the Office of Management and Budget (OMB), Single Audit, Circular A-133 (Audits of States, Local Governments, and Non-Profit Organizations). Entities that expend \$500,000.00 or more (prior to 12/26/14) and \$750,000.00 or more (on or after 12/26/14) of federal assistance (federal funds, federal grants, or federal awards) are required to comply by having an independent audit. Either an electronic or hardcopy of the Single Audit is to be sent to Arizona Department of Transportation Financial Management Services within the required deadline of nine (9) months of the sub recipient fiscal year end.

ADOT – FMS  
Attn: Cost Accounting Administrator  
206 S 17<sup>th</sup> Ave. Mail Drop 204B  
Phoenix, AZ 85007  
[SingleAudit@azdot.gov](mailto:SingleAudit@azdot.gov)

8. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.

9. This Agreement may be cancelled in accordance with Arizona Revised Statutes § 38-511.

10. To the extent applicable under law, the provisions set forth in Arizona Revised Statutes §§ 35-214 and 35-215 shall apply to this Agreement.

11. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable Federal regulations under the Act, including 28 CFR Parts 35 and 36. The parties to this Agreement shall comply with Executive Order Number 2009-09 issued by the Governor of the State of Arizona and incorporated herein by reference regarding "Non-Discrimination".

12. Non-Availability of Funds: Every obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.

13. In the event of any controversy, which may arise out of this Agreement, the Parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes § 12-1518.

14. The Parties shall comply with the applicable requirements of Arizona Revised Statutes § 41-4401.

15. The Parties hereto shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.

16. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by mail, addressed as follows:

**Arizona Department of Transportation**  
Joint Project Administration  
205 S. 17<sup>th</sup> Avenue, Mail Drop 637E  
Phoenix, Arizona 85007  
(602) 712-7124  
(602) 712-3132 Fax

**Northern Arizona Council  
of Governments**  
Attn: Jason Kelly  
119 East Aspen Avenue  
Flagstaff, Arizona 86001-5222  
(928) 830-0127  
(928) 773-1135 Fax

17. In accordance with Arizona Revised Statutes § 11-952 (D) attached hereto and incorporated herein is the written determination of each Party's legal counsel and that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

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**IN WITNESS WHEREOF**, the Parties have executed this Agreement the day and year first above written.

**NORTHERN ARIZONA COUNCIL  
OF GOVERNMENTS**

**STATE OF ARIZONA**  
Department of Transportation

By \_\_\_\_\_  
**CHRIS FETZER**  
Executive Director

By \_\_\_\_\_  
**DALLAS HAMMIT, P.E.**  
State Engineer

**ATTORNEY APPROVAL FORM FOR THE NORTHERN ARIZONA COUNCIL OF GOVERNMENTS**

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the NORTHERN ARIZONA COUNCIL OF GOVERNMENTS, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the NACOG under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
NACOG Attorney



# Staff Report

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- Agenda Item:**           **Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor License and Control to approve a Special Event Liquor License for the Verde Valley Habitat for Humanity, Inc.'s fundraiser to be held on Saturday, June 13, 2015 from 5:00 p.m. to 9:00 p.m. at the Clarkdale Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.
- Staff Contact:**           Kathy Bainbridge, Town Clerk-Finance Director
- Meeting Date:**           May 12, 2015
- Background:**           The Verde Valley Habitat for Humanity has requested a Special Event Liquor License for a fundraiser to be held on Saturday, June 13, 2015 from 5:00 p.m. to 9:00 p.m. at the Clarkdale Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.
- Recommendation:**       Staff recommends that the Town Council approve a recommendation to the State Department of Liquor License and Control to approve a Special Event Liquor License for Verde Valley Habitat for Humanity, Inc.'s fundraiser to be held on Saturday, June 13, 2015 from 5:00 p.m. to 9:00 p.m. at the Clarkdale Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

BACK BY END OF APRIL

Arizona Department of Liquor Licenses and Control  
800 W Washington 5th Floor  
Phoenix AZ 85007-2934  
www.azliquor.gov  
(602) 542-5141

FOR DLLC USE ONLY
Event date(s):
Event time start/end:

**APPLICATION FOR SPECIAL EVENT LICENSE**  
 Fee= \$25.00 per day for 1-10 days (consecutive)  
 A service fee of \$25.00 will be charged for all dishonored checks (A.R.S. §44-6852)

**IMPORTANT INFORMATION: This document must be fully completed or it will be returned.**

The Department of Liquor Licenses and Control must receive this application ten (10) business days prior to the event. If the special event will be held at a location without a permanent liquor license or if the event will be on any portion of a location that is not covered by the existing liquor license, this application must be approved by the local government before submission to the Department of Liquor Licenses and Control (see Section 15).

**SECTION 1** Name of Organization: VERDE VALLEY HABITAT FOR HUMANITY, INC

**SECTION 2** Non-Profit/IRS Tax Exempt Number: 86-0754480

**SECTION 3** The organization is a: (check one box only)  
 Charitable (501.C)3  Fraternal (must have regular membership and have been in existence for over five (5) years)  
 Religious  Civic (Rotary, College Scholarship)  Political Party, Ballot Measure or Campaign Committee

**SECTION 4** Will this event be held on a currently licensed premise and within the already approved premises?  
 Yes  No

Name of Business	License Number	Phone (include Area Code)

**SECTION 5** How is this special event going to conduct all dispensing, serving, and selling of spirituous liquors? Please read R-19-318 for explanation (look in special event planning guide) and check one of the following boxes.  
 Place license in non-use  
 Dispense and serve all spirituous liquors under retailer's license  
 Dispense and serve all spirituous liquors under special event  
 Split premise between special event and retail location

(If not using retail license, submit a letter of agreement from the agent/owner of the licensed premise to suspend the license during the event. If the special event is only using a portion of premise, agent/owner will need to suspend that portion of the premise.)

**SECTION 6** What is the purpose of this event?  On-site consumption  Off-site (auction)  Both

**SECTION 7** Location of the Event: CLARKDALE MEMORIAL CLUB HOUSE  
Address of Location: 19. N. 9TH ST. CLARKDALE VAL, AZ 86324  
Street City County/State Zip

**SECTION 8** Will this be stacked with a wine festival/craft distiller festival?  Yes  No

**SECTION 9** Applicant must be a member of the qualifying organization and authorized by an Officer, Director or Chairperson of the Organization named in Section 1. (Authorizing signature is required in Section 13.)

1. Applicant: Simms TANIA S 8/13/65  
Last First Middle Date of Birth

2. Applicant's mailing address: 2152 E. BRANDED DR., COTONWOOD AZ 86326  
Street City State Zip

3. Applicant's home/cell phone: (728) 301-2067 Applicant's business phone: (728) 649-6288

4. Applicant's email address: tania.simms@vvhabitat.org

**SECTION 10**

1. Has the applicant been convicted of a felony, or had a liquor license revoked within the last five (5) years?  
 Yes  No (If yes, attach explanation.)

2. How many special event licenses have been issued to this location this year? \_\_\_\_\_  
 (The number cannot exceed 12 events per year; exceptions under A.R.S. §4-203.02(D).)

3. Is the organization using the services of a promoter or other person to manage the event?  Yes  No  
 (If yes, attach a copy of the agreement.)

4. List all people and organizations who will receive the proceeds. Account for 100% of the proceeds. The organization applying must receive 25% of the gross revenues of the special event liquor sales. Attach an additional page if necessary.

Name VERDE VALLEY HABITAT FOR HUMANITY Percentage 100%  
 Address PO Box 2515 COTTENWOOD AZ 86326  
Street City State Zip

Name \_\_\_\_\_ Percentage \_\_\_\_\_  
 Address \_\_\_\_\_  
Street City State Zip

5. Please read A.R.S. §4-203.02 Special event license: rules and R19-1-205 Requirements for a Special Event License.

**Note: ALL ALCOHOLIC BEVERAGE SALES MUST BE FOR CONSUMPTION AT THE EVENT SITE ONLY.**

**"NO ALCOHOLIC BEVERAGES SHALL LEAVE SPECIAL EVENT UNLESS THEY ARE IN AUCTION SEALED CONTAINERS OR THE SPECIAL EVENT LICENSE IS STACKED WITH WINE /CRAFT DISTILLERY FESTIVAL LICENSE"**

6. What type of security and control measures will you take to prevent violations of liquor laws at this event?  
 (List type and number of police/security personnel and type of fencing or control barriers, if applicable.)

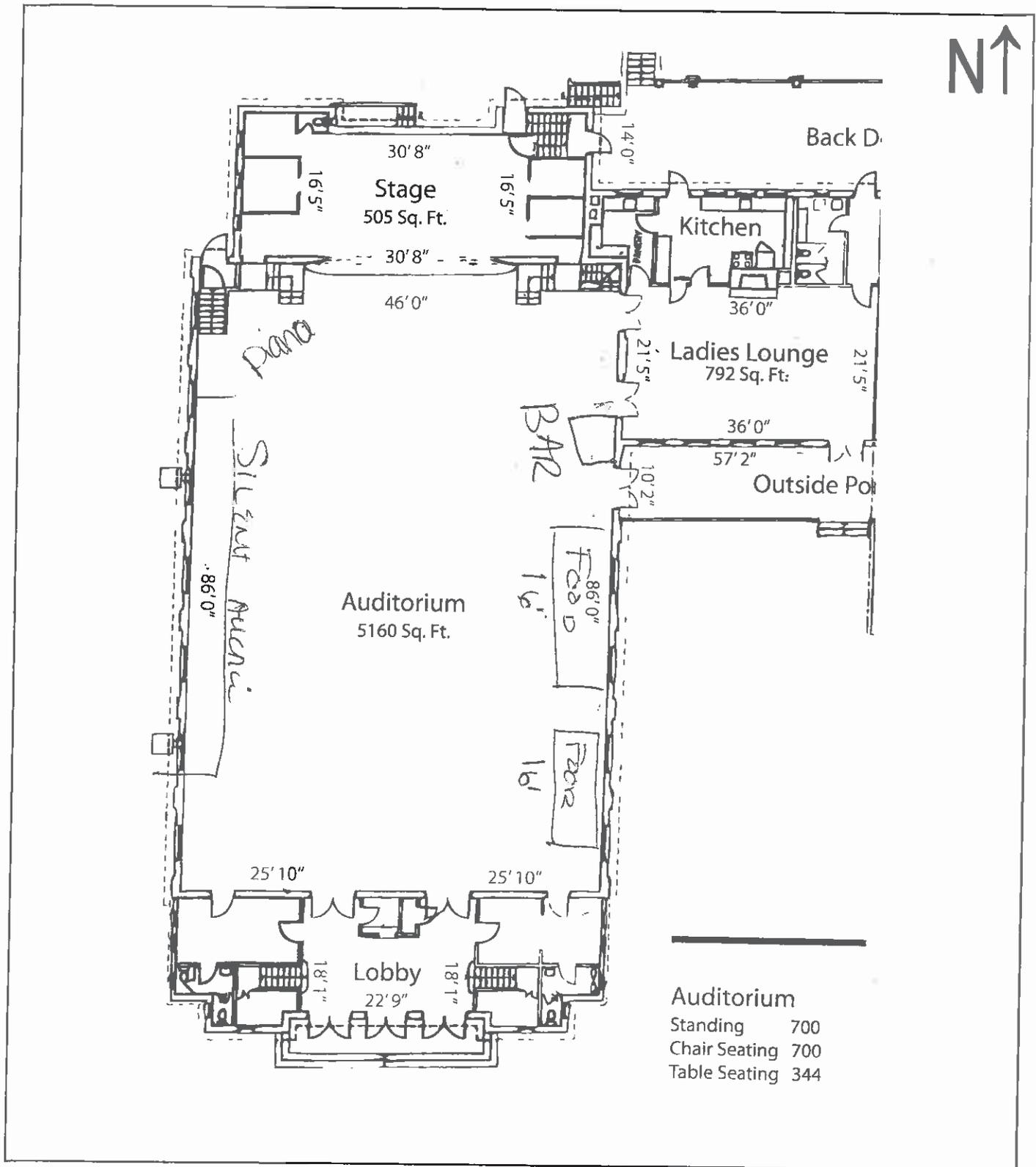
2 Number of Police \_\_\_\_\_ Number of Security Personnel  Fencing  Barriers

Explanation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SECTION 11** Date(s) and Hours of Event. May not exceed 10 consecutive days.  
 See A.R.S. §4-244(15) and (17) for legal hours of service.

	Date	Day of Week	Event Start Time AM/PM	License End Time AM/PM
DAY 1:	<u>6/13/15</u>	<u>SATURDAY</u>	<u>5:00pm</u>	<u>9:00pm</u>
DAY 2:	_____	_____	_____	_____
DAY 3:	_____	_____	_____	_____
DAY 4:	_____	_____	_____	_____
DAY 5:	_____	_____	_____	_____
DAY 6:	_____	_____	_____	_____
DAY 7:	_____	_____	_____	_____
DAY 8:	_____	_____	_____	_____
DAY 9:	_____	_____	_____	_____
DAY 10:	_____	_____	_____	_____

**SECTION 12** License premises diagram. The licensed premises for your special event is the area in which you are authorized to sell, dispense or serve alcoholic beverages under the provisions of your license. The following space is to be used to prepare a diagram of your special event licensed premises. Please show dimensions, serving areas, fencing, barricades, or other control measures and security position.



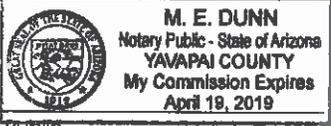
**SECTION 13** This section is to be completed only by an Officer, Director or Chairperson of the organization named in Section 1.

I, TANIA Simms declare that I am an OFFICER, DIRECTOR, or CHAIRPERSON  
(Print full name)  
 appointing the applicant listed in Section 9, to apply on behalf of the foregoing organization for a Special Event  
 Liquor License.

X *Tania Simms* EXECUTIVE DIR 4/28/15 928-649-6788  
(Signature) Title/ Position Date Phone #

The foregoing instrument was acknowledged before me this 30th April 2015  
Day Month Year  
 State Arizona County of Yavapai

My Commission Expires on: 4-19-2019 M. E. DUNN  
Date Signature of Notary Public



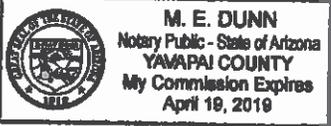
**SECTION 14** This section is to be completed only by the applicant named in Section 9.

I, TANIA Simms declare that I am the APPLICANT filing this application as  
(Print full name)  
 listed in Section 9. I have read the application and the contents and all statements are true, correct and  
 complete.

X *Tania Simms* EXECUTIVE DIR 4/30/15 928-649-6788  
(Signature) Title/ Position Date Phone #

The foregoing instrument was acknowledged before me this 30th April 2015  
Day Month Year  
 State Arizona County of Yavapai

My Commission Expires on: 4-19-2019 M. E. DUNN  
Date Signature of Notary Public



The local governing body may require additional applications to be completed and submitted. Please check with local government as to how far in advance they require these applications to be submitted. Additional licensing fees may also be required before approval may be granted. For more information, please contact your local jurisdiction: [http://www.azliquor.gov/assets/documents/homepage\\_docs/spec\\_event\\_links.pdf](http://www.azliquor.gov/assets/documents/homepage_docs/spec_event_links.pdf).

**SECTION 15** Local Governing Body Approval Section

I, Doug Von Gausig Mayor recommend  APPROVAL  DISAPPROVAL  
(government official) (Title)  
 on behalf of Clarkdale 5-12-15 928-639-2400  
(City/Town) County Signature Date Phone

FOR DEPARTMENT OF LIQUOR LICENSES AND CONTROL USE ONLY

APPROVAL  DISAPPROVAL BY: \_\_\_\_\_ DATE: \_\_\_\_\_



# Staff Report

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**Agenda Item:** VERDE VALLEY HABITAT FOR HUMANITY REQUEST FOR WAIVER OF FACILITY USE FEES – Discussion and possible action regarding a request for waiver of the facility use fees for their fundraiser at the Clark Memorial Clubhouse June 13, 2015.

**Staff Contact:** Kathy Bainbridge, Town Clerk-Finance Director

**Meeting Date:** May 12, 2015

**Background:** The Verde Valley Habitat for Humanity has requested a Special Event Liquor License for a fundraiser to be held on Saturday, June 13, 2015 from 5:00 p.m. to 9:00 p.m. at the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

In association with the request for the Special Event Liquor License for their fundraiser, they have requested that the Town of Clarkdale waive the facility use fees required to rent the Clark Memorial Clubhouse.

The total rental fee for the clubhouse is \$852.00 for this event. Of that fee, the Town will be paying Facility Ambassadors \$156.00 and Police Officers \$400.00 for a total of \$556.00. The remaining \$296.00 will go towards cleaning, supplies and utilities.

**Recommendation:** Staff recommends consideration of only a portion the remaining \$296.00 instead of the total \$852.00 facility use fee request for Verde Valley Habitat for Humanity, Inc.'s fundraiser to be held on Saturday, June 13, 2015 at the Clark Memorial Clubhouse.



**Town of Clarkdale**  
 COMMUNITY SERVICES DEPARTMENT  
 PO Box 308/39 N Ninth Street  
 Clarkdale, AZ 86324  
 Phone (928) 639-2460  
 Fax (928) 639-2480

# INVOICE

INVOICE #06132015  
 DATE: 4/22/2015

**TO:**  
 VERDE VALLEY HABITAT FOR HUMANITY  
 PO BOX 2152  
 COTTONWOOD, AZ 86326

**FOR:**  
 CLARK MEMORIAL CLUBHOUSE RENTAL  
 39 N. NINTH ST.  
 CLARKDALE, AZ 86324

DATES	FACILITY	QUANTITY	RATE	AMOUNT
06/13/2015	Auditorium	8 hours	50.00	400.00
06/13/2015	Auditorium	4 hours	13.00	52.00
06/13/2015	Event Security (2 Officers)	4 hours	100.00	400.00
	Facility Rental Deposit Event w/Alcohol			800.00
<b>TOTAL</b>				<b>1652.00</b>
Payment received 4/22/15 ck # 2077				-800.00
Facility Rental Fee/Event Security- Balance Due 5/13/15				852.00

Town of Clarkdale

**THANK YOU FOR YOUR BUSINESS!**



*Help build it!*

April 28, 2015

Town of Clarkdale  
City Council  
P.O. Box 308  
Clarkdale, AZ 86324

RE: waiver request

Dear Mayor Von Gausig and Council members,

Verde Valley Habitat for Humanity has applied to the town for use of the Clarkdale Memorial Clubhouse for our annual fundraiser, Blueprints and Bluejeans to be held on June 13, 2015. This event will help us raise funds to further our mission of building affordable homes for qualified low-income families here in the Verde Valley. In addition to building new homes, we are in the planning process to expand our services and offer qualified low-income resident's home repair. It is our desire that the proceeds of this fundraiser will help us increase our reach into the community to accomplish these goals. To expand our services, it is essential that we partner with our local towns and cities and this event will help us broaden our relationship with the Town of Clarkdale.

We currently have three homeowners in Clarkdale. Wouldn't it be great, if we have the opportunity to help more low-income families accomplish their dream of homeownership? You can, by helping us accomplish our goal to preserve the income from this event to meet program needs. I would like to request the Town of Clarkdale waive the facility use fees required to rent the Clarkdale Memorial Clubhouse and help us further our mission to build affordable homes and offer home repair for qualified low-income homeowners here in our community.

Respectfully submitted,

A handwritten signature in black ink that reads "Tania Simms". The signature is written in a cursive style.

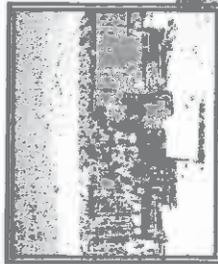
Tania Simms  
Executive Director

P.O. Box 2515, Cottonwood, AZ 86326  
Phone: (928) 649-6788 Fax: (928) 649-6742  
[www.vvhabitat.org](http://www.vvhabitat.org)

A handup,

not a handout....

Homeowners who go through our program participate in financial and home ownership classes and invest 'sweat equity' in the building of their Habitat home. Verde Valley Habitat for Humanity carries the mortgage and your monthly no-interest mortgage payments help us build more homes for families in need in the Verde Valley.



#### Fast Facts for new home buyers

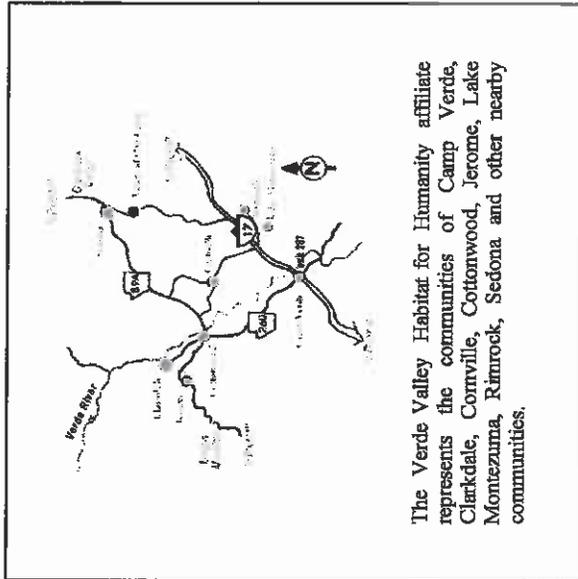
- Are you a citizen or legal resident of the U.S.?
- Are you unable to qualify for conventional loans?
- Do you have a steady verifiable source of income?
- Have you lived in the Verde Valley for the last 12 months?
- Can you live anywhere in the Verde Valley?
- Can you live in a 900 - 1380 sq. ft. home (determined by family size)?
- Are you willing to help build your own home?
- Are you able to live in your current residence for at least 1 year?

If you answered yes to all of the questions above, you may qualify for a Verde Valley Habitat for Humanity Home.

## OUR MISSION

Verde Valley Habitat for Humanity is an inter-denominational Christian ministry whose purpose is to build homes in partnership with God, community and qualified low-income families in the Verde Valley.

Since 1995 Verde Valley Habitat for Humanity has built 12 homes and we continue to serve families in need by providing them with safe, decent, affordable housing.



The Verde Valley Habitat for Humanity affiliate represents the communities of Camp Verde, Clarkdale, Cornville, Cottonwood, Jerome, Lake Montezuma, Rinrock, Sedona and other nearby communities.

VERDE VALLEY HABITAT FOR HUMANITY  
P O BOX 2515, COTTONWOOD, AZ, 86326

Affiliate Offices and ReStore  
737S. MAIN ST., COTTONWOOD, AZ 86326  
Phone: (928) 649-6788  
Fax: (928) 649-6742  
Email: [info@vvhhabitat.org](mailto:info@vvhhabitat.org)  
Website: [www.vvhhabitat.org](http://www.vvhhabitat.org)



Verde Valley

Habitat  
for Humanity®



VERDE VALLEY HABITAT FOR HUMANITY



Verde Valley

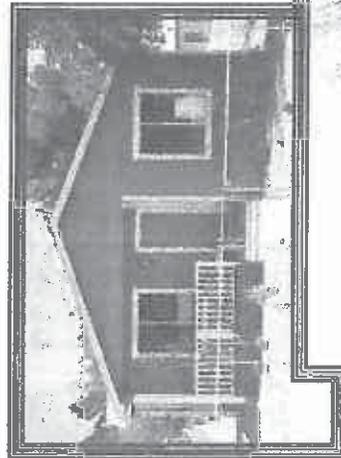
Habitat  
for Humanity®

A HOME LIKE

ONE OF THESE

COULD BE

YOUR NEW HOME!



Qualify for a new home with a  
small down payment and an  
interest-free mortgage.

## BECOME A HOMEOWNER

It's a dream we all share. Somewhere where you can turn rent payments into home equity. Somewhere where the paint's fresh, the plumbing works, and there's room enough for everyone. Somewhere that is yours. This is an opportunity that Verde Valley Habitat for Humanity wants to put within your reach. Habitat for Humanity is looking for families who:

- 1) have a need for housing
- 2) have the ability to pay a mortgage
- 3) are willing to partner with Habitat

If you qualify, you could partner with Habitat to build a brand new, quality home with a small down payment and interest-free mortgage.



## HOW DOES HABITAT WORK?

Habitat for Humanity (HFH) builds decent, affordable, no frills houses in partnership with qualifying families, using as much donated material and labor as possible. HFH then sells the houses to the qualifying families at no interest and no profit and holds the mortgage. The monthly payments from each HFH home in your community combine to provide funds to help us build the next Habitat home.



## Requirements

### 1 YOUR RESIDENCY

In order to qualify for home ownership through our program, you must have lived in the Verde Valley for the past 12 months.

### 2 YOUR NEED

To qualify, your family must currently be living in unsafe and/or overcrowded housing or be overly cost-burdened by unaffordable rent payments. You also qualify if you are currently without a home.

### 3 YOUR ABILITY

You must have a steady source of verifiable income, be able to pay a total of \$2,035 prior to home occupancy, be able to demonstrate financial responsibility and be willing to invest a minimum of 300 hours of your family's time in helping us build your home.

### 4 YOUR INCOME

To qualify, your annual gross family verifiable income should be within these guidelines:

Family Size	Income Range	
	Minimum	Maximum
One	\$11,800	\$23,550
Two	\$13,450	\$26,900
Three	\$15,150	\$30,250
Four	\$16,800	\$33,600
Five	\$18,150	\$36,300
Six	\$19,500	\$39,000
Seven	\$20,850	\$41,700
Eight	\$22,200	\$44,400

Income limits for our program are 30% - 60% of median income per year for Yavapai County.

*Subject to change based on updates from State of Arizona Housing Fund Program.*

### 5 YOUR CREDIT

Your family must have and maintain good credit with no bankruptcy pending or discharged within the last 24 months. Credit checks are performed on all Habitat home applicants.

### 6 YOUR DOCUMENTS

When your family applies, some of the documents you will be asked to provide are:

- Social Security Cards for all household members
- Driver's License or Arizona state-issued I.D.
- Birth certificates or proof of legal alien resident status
- Last 4 payroll check stubs for all workers in family over 18 years old or proof of income
- Past 2 years signed tax returns with W2s, 1099s, etc.

## FREQUENTLY ASKED QUESTIONS

### What is 'sweat equity'?

Sweat equity is your physical investment in your new home. Sweat equity hours add up based on your participation in the actual building of your (or another's) Habitat home; volunteering at the Habitat Affiliate office or the ReStore; serving on Habitat committees; and attending required financial and homeowner classes. 50 hours per applicant and co-applicant must be completed before construction on your home begins. Up to 50% of the total sweat equity hours may be performed by family and friends.

If I qualify and have been selected as a new homeowner, how long does it take to move in? It can take anywhere from 9 months to 2 years for a family to actually move in. On average, once you have completed your pre-construction sweat equity hours and ground has been broken, it takes an average of 6-8 months to build your new home.

For more information,

visit our website, [www.vvhabitat.org](http://www.vvhabitat.org),

email us at [info@vvhabitat.org](mailto:info@vvhabitat.org),

call us at (928) 649-6788

stop by our affiliate office at

737 S. Main St., Cottonwood, AZ.

Habitat for Humanity is an Equal Housing Opportunity lender and does not discriminate on the basis of race, gender, color, age, handicap, religion or marital status.



# Staff Report

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**Agenda Item:**           **SERIES 13 – IN-STATE DOMESTIC FARM WINERY LICENSE FOR COTTONTUCKY LLC, AGENT, JOSEPH BECHARD, D/B/A CHATEAU TUMBLEWEED**– Discussion and possible approval of a recommendation to the Arizona Department of Liquor License and Control for approval of an In-state Domestic Farm Winery - Series #13 Liquor License application from Cottontucky LLC, Agent Joseph Bechard, d/b/a Chateau Tumbleweed at 1151 W. State Route 89A, Clarkdale, AZ.

**Staff Contact:**           Kathy Bainbridge, Clerk/Finance Director

**Meeting Date:**           May 13, 2014

**Background:** Cottontucky LLC, Agent Joseph Bechard, d/b/a Chateau Tumbleweed at 1151 W. State Route 89A, Clarkdale, AZ has applied for a Series #13 In-state Domestic Farm Winery Liquor License.

An In-state Domestic Farm Winery is a winery located in Arizona that produces at least 200 gallons but not more than 40,000 gallons of wine annually.

This non-transferable, In-state Domestic Farm Winery liquor license has on- and off-sale retail privileges and allows the holder to sell and deliver wine produced on the premises to businesses licensed to sell wine in and out-of-state, and to serve wine produced on the premises for on and off-sale consumption and for the purpose of sampling. An in-state domestic farm winery that produces not more than 20,000 gallons of wine in a calendar year may make sales of wine produced on premises to consumers who order by telephone, mail, fax, catalogue or internet per A.R.S. §4-205.04(C)(9)(a)-(g). These orders must be sent to an Arizona-licensed wholesaler, then to an Arizona-licensed retailer who will arrange delivery to the consumer. Other than this exception, Internet sale of liquor is not permitted in the state of Arizona. A.R.S. §4-205.04(D)

Chateau Tumbleweed was posted with the required notification to the public that the Town of Clarkdale Council would review this request in accordance with the Arizona Department of Liquor Licenses and Control requirements. The notice was posted on the building April 20, 2015 and was scheduled for action by the Clarkdale Town Council for May 12, 2015 in order to comply with the 20 day notice posting requirement.

The Liquor License Application Review Form has been completed by the Police Department, Fire District, Community Development Department, Utilities, Public Works and Clerk regarding “due diligence” reviews of the business.

Attached is a redacted copy of the Application for Liquor License which is available for public review and posted at the establishment.

**Recommendations:** To recommend to the Arizona Department of Liquor License and Control, approval of a Series #13 In-state Farm Winery Liquor License application from Cottontucky LLC, Agent Joseph Bechard, d/b/a Chateau Tumbleweed at 1151 W. State Route 89A, Clarkdale, AZ.



	Clerk	CDD	PD	Utility	PW	FD
4) Residential and commercial population of the community and its likelihood of increasing or decreasing or remaining static.		X				
* <b>Town's current residential population is 4,097. We estimate a conservative growth rate of 2.5% annually. Commercial growth is hard to predict. The entire SR 89A corridor between Cottonwood and</b>						
5) Residential and commercial population density within one mile of the proposed premises.	Clerk	CDD	PD	Utility	PW	FD
* <b>Unknown</b>		X				
6) Evidence concerning the nature of the proposed business, its potential market, and its likely customers & zoning.	Clerk	CDD	PD	Utility	PW	FD
* <b>Property is zoned commercial</b>		X				
7) Effect on vehicular traffic within one mile of the proposed premises.	Clerk	CDD	PD	Utility	PW	FD
* <b>Right in/right out access only as designed by ADOT. There should be no major impact on vehicular traffic.</b>			X	X	X	X
8) Compatibility of the proposed business with other activity within one mile of the proposed premises.	Clerk	CDD	PD	Utility	PW	FD
* <b>Property is within a commercial corridor.</b>		X				
9) Effect or impact on the activities of businesses or the residential neighborhood that might be affected by granting a license at the proposed premises.	Clerk	CDD	PD	Utility	PW	FD
* <b>No residential effect and minimal commercial effect reported by PD. Unknown reported by CDD</b>		X	X			

Clerk	CDD	PD	Utility	PW	FD
					X
Clerk	CDD	PD	Utility	PW	FD
		X			
Clerk	CDD	PD	Utility	PW	FD
X	X	X	X	X	X

10) Fire Safety/Compliance with International Fire Code as adopted by the Town of Clarkdale and enforced by Clarkdale Fire District.

\* ***No current objection to issuance of license. Building is still under construction and we have not recommended a Certificate of Occupancy with regards to Life Safety.***

11) Background checks, Criminal History

\* ***No criminal histories***

12) Calls and Activities regarding property and/or person(s) in application.

\* ***Few contacts as reporting parties, witnesses and victims reported by PD. CDD completed design review for exterior renovations in March 2015. Utilities, PW and Clerk have had not calls or complaints regarding the property.***

13) Additional Comments.

\*

**Arizona Department of Liquor Licenses and Control**  
 800 West Washington, 5th Floor  
 Phoenix, Arizona 85007  
 www.azliquor.gov  
 602-542-5141

15 APR 10 11:49 AM 1234

**APPLICATION FOR LIQUOR LICENSE**  
 TYPE OR PRINT WITH BLACK INK

Notice: Effective Nov. 1, 1997, All Owners, Agents, Partners, Stockholders, Officers, or Managers actively involved in the day to day operations of the business must attend a Department approved liquor law training course or provide proof of attendance within the last five years. See page 5 of the Liquor Licensing requirements.

**SECTION 1** This application is for a:

- MORE THAN ONE LICENSE
- INTERIM PERMIT *Complete Section 5*
- NEW LICENSE *Complete Sections 2, 3, 4, 13, 14, 15, 16*
- PERSON TRANSFER (Bars & Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 11, 13, 15, 16*
- LOCATION TRANSFER (Bars and Liquor Stores ONLY)  
*Complete Sections 2, 3, 4, 12, 13, 15, 16*
- PROBATE/WILL ASSIGNMENT/DIVORCE DECREE  
*Complete Sections 2, 3, 4, 9, 13, 16* (fee not required)
- GOVERNMENT *Complete Sections 2, 3, 4, 10, 13, 15, 16*

**SECTION 2** Type of ownership:

- J.T.W.R.O.S. *Complete Section 6*
- INDIVIDUAL *Complete Section 6*
- PARTNERSHIP *Complete Section 6*
- CORPORATION *Complete Section 7*
- LIMITED LIABILITY CO. *Complete Section 7*
- CLUB *Complete Section 8*
- GOVERNMENT *Complete Section 10*
- TRUST *Complete Section 6*
- OTHER (Explain) \_\_\_\_\_

**SECTION 3** Type of license and fees LICENSE #(s):

1. Type of License(s): Series 13

13133049

2. Total fees attached:

Department Use Only  
 \$ 232.00

**APPLICATION FEE AND INTERIM PERMIT FEES (IF APPLICABLE) ARE NOT REFUNDABLE.**  
 The fees allowed under A.R.S. 44-6852 will be charged for all dishonored checks.

**SECTION 4** Applicant

1. Owner/Agent's Name:  Mr. Bechard Joseph Michael  
(Insert one name ONLY to appear on license) Last First Middle
2. Corp./Partnership/L.L.C.: Cottontucky LLC  
(Exactly as it appears on Articles of Inc. or Articles of Org.)
3. Business Name: Chateau Tumbleweed  
(Exactly as it appears on the exterior of premises)
4. Principal Street Location: 1151 W. State Route 89A Clarkdale Yavapai 86324  
(Do not use PO Box Number) City County Zip
5. Business Phone: (928) 351-1150 Daytime Phone: (928) 351-1150 Email: joe@chateautumbleweed.com
6. Is the business located within the incorporated limits of the above city or town?  YES  NO
7. Mailing Address: 1151 W. State Route 89A Clarkdale, AZ 86324  
City State Zip
8. Price paid for license only bar, beer and wine, or liquor store: Type \_\_\_\_\_ \$ \_\_\_\_\_ Type \_\_\_\_\_ \$ \_\_\_\_\_

91069891  
B1050744  
B1054298

**DEPARTMENT USE ONLY**

Fees: 100.00 Application    \_\_\_\_\_ Interim Permit    \_\_\_\_\_ Site Inspection    \_\_\_\_\_ Finger Prints    \$ 232.00  
**TOTAL OF ALL FEES**

Is Arizona Statement of Citizenship & Alien Status For State Benefits complete?  YES  NO

Accepted by: CS Date: 4/16/15 Lic. # 13133049

\*Disabled individuals requiring special accommodation, please call (602) 542-9027.

**SECTION 5 Interim Permit:**

1. If you intend to operate business when your application is pending you will need an Interim Permit pursuant to A.R.S. 4-203.01.
2. There **MUST** be a valid license of the same type you are applying for currently issued to the location.
3. Enter the license number currently at the location. \_\_\_\_\_
4. Is the license currently in use?  YES  NO If no, how long has it been out of use? \_\_\_\_\_

**ATTACH THE LICENSE CURRENTLY ISSUED AT THE LOCATION TO THIS APPLICATION.**

I, \_\_\_\_\_, declare that I am the CURRENT OWNER, AGENT, CLUB MEMBER, PARTNER,  
 (Print full name)  
 MEMBER, STOCKHOLDER, OR LICENSEE (circle the title which applies) of the stated license and location.

State of \_\_\_\_\_ County of \_\_\_\_\_

X \_\_\_\_\_  
 (Signature)

The foregoing instrument was acknowledged before me this

\_\_\_\_\_ day of \_\_\_\_\_  
 Day Month Year

My commission expires on: \_\_\_\_\_

\_\_\_\_\_  
 (Signature of NOTARY PUBLIC)

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**SECTION 6 Individual or Partnership Owners:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Individual:

Last	First	Middle	% Owned	Mailing Address	City State Zip

Partnership Name: (Only the first partner listed will appear on license) \_\_\_\_\_

General-Limited	Last	First	Middle	% Owned	Mailing Address	City State Zip
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						
<input type="checkbox"/>						

) Y R A S S E C E N F I

2. Is any person, other than the above, going to share in the profits/losses of the business?  YES  NO  
 If Yes, give name, current address and telephone number of the person(s). Use additional sheets if necessary.

Last	First	Middle	Mailing Address	City, State, Zip	Telephone#



**SECTION 7 Corporation/Limited Liability Co.:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

CORPORATION Complete questions 1, 2, 3, 5, 6, 7, and 8.

L.L.C. Complete 1, 2, 4, 5, 6, 7, and 8.

1. Name of Corporation/L.L.C.: Cottontucky LLC  
(Exactly as it appears on Articles of Incorporation or Articles of Organization)

2. Date Incorporated/Organized: 02/28/2010 State where Incorporated/Organized: ARIZONA

3. AZ Corporation Commission File No.: \_\_\_\_\_ Date authorized to do business in AZ: \_\_\_\_\_

4. AZ L.L.C. File No: L16539314 Date authorized to do business in AZ: 02/04/2010

5. Is Corp./L.L.C. Non-profit?  YES  NO

6. List all directors, officers and members in Corporation/L.L.C.:

Last	First	Middle	Title	Mailing Address	City	State	Zip
ATTACHED							

(ATTACH ADDITIONAL SHEET IF NECESSARY)

7. List stockholders who are controlling persons or who own 10% or more:

Last	First	Middle	% Owned	Mailing Address	City	State	Zip
ATTACHED							

(ATTACH ADDITIONAL SHEET IF NECESSARY)

8. If the corporation/L.L.C. is owned by another entity, attach a percentage of ownership chart, and a director/officer/member disclosure for the parent entity. Attach additional sheets as needed in order to disclose personal identities of all owners.

**SECTION 8 Club Applicants:**

EACH PERSON LISTED MUST SUBMIT A COMPLETED QUESTIONNAIRE (FORM LIC0101), AN "APPLICANT" TYPE FINGERPRINT CARD, AND \$22 PROCESSING FEE FOR EACH CARD.

1. Name of Club: \_\_\_\_\_ Date Chartered: \_\_\_\_\_  
(Exactly as it appears on Club Charter or Bylaws) (Attach a copy of Club Charter or Bylaws)

2. Is club non-profit?  YES  NO

3. List officer and directors:

Last	First	Middle	Title	Mailing Address	City	State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

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**Cottontucky LLC**  
**Series 13 Application**

*Section 7, Question 6*

Last, First, Middle	Title	Mailing Address	City, State Zip
Bechard, Joseph, Michael	Member	1260 S. Navajo Drive	Cottonwood, AZ 86326
Pothier, Kristy, Ann	Member	1260 S. Navajo Drive	Cottonwood, AZ 86326
Hendricks, Jeffrey, Curtis	Member	2222 Rockview Lane	Clarkdale, AZ 86324
Koistinen, Kim, Marie	Member	2222 Rockview Lane	Clarkdale, AZ 86324
Red River Cattle LLP	Member	5601 W. Elliot Road	Laveen, AZ 85339

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*Section 7, Question 7*

Last, First, Middle	% Owned	Mailing Address	City, State Zip
Bechard, Joseph, Michael	16 2/3%	1260 S. Navajo Drive	Cottonwood, AZ 86326
Pothier, Kristy, Ann	16 2/3%	1260 S. Navajo Drive	Cottonwood, AZ 86326
Hendricks, Jeffrey, Curtis	16 2/3%	2222 Rockview Lane	Clarkdale, AZ 86324
Koistinen, Kim, Marie	16 2/3%	2222 Rockview Lane	Clarkdale, AZ 86324
Red River Cattle LLP	33 1/3%	5601 W. Elliot Road	Laveen, AZ 85339

Red River Cattle, LLP (Stage Stop Vineyards at Dancing Apache Ranch)  
Ownership Structure

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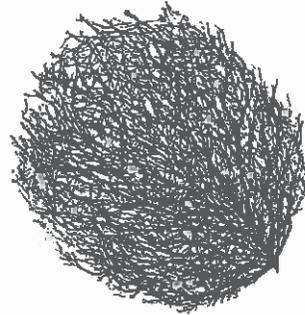
Limited Partners		Percentage Ownership	Limited Partner Members(s)	Ownership % of Limited Partner	Type of Ownership	Trustees	
						Ownership % of	Type of
TEMJ, LLC Earl A. Petznick, Jr., Manager	33%	EAP-058 Trust	100%	Member/Owner	Earl A. Petznick, Jr. & Melinda Petznick		
JOAB, LLC Olen J. Petznick, Manager	33%	OJP-058 Trust	100%	Member/Owner	Olen J. Petznick & Belle Petznick		
House Mountain, LLC Earl A. Petznick, Manager Olen J. Petznick, Manager Earl A. Petznick, Jr., Manager Patricia A. Petznick, Manager	33%	PAP-86 Trust	100%	Member/Owner	Earl A. Petznick & Patricia Petznick		
General Partner		Shareholder	Sacate Pellet Mills	Shareholder Member	Shareholder	Ownership % of	Trustees
Sacate Pellet Mills, Inc.	1%	TEMJ, LLC Earl A. Petznick, Jr., Manager	25%	EAP-058 Trust	100%	Member/Owner	Earl A. Petznick, Jr. & Melinda Petznick
		JOAB, LLC Olen J. Petznick, Manager	25%	OJP-058 Trust	100%	Member/Owner	Olen J. Petznick & Belle Petznick
		Red Barn, LLC Earl A. Petznick, Manager	25%	Red Barn Trust	100%	Member/Owner	Earl A. Petznick & Patricia Petznick
		Beverly J. Stewart	25%	N/A	N/A	N/A	N/A



**AMENDMENT**  
45 PER 10 LIP, DEPT PH1234

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chateau  
**TUMBLEWEED**



April 8, 2015

To Whom It May Concern:

Upon issuance of a Series 13 license for Cottontucky LLC dba Chateau Tumbleweed at 1151 W. State Route 89A in Clarkdale, Cottontucky will relinquish its current Series 13 license at the Camp Verde address, number 13133047.

Sincerely,

Kim Koistinen

Member

Cottontucky LLC dba Chateau Tumbleweed

**SECTION 9 Probate, Will Assignment or Divorce Decree of an existing Bar or Liquor Store License:**

1. Current Licensee's Name: \_\_\_\_\_  
Exactly as it appears on license) Last First Middle  
2. Assignee's Name: \_\_\_\_\_  
Last First Middle  
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_ Date of Last Renewal: \_\_\_\_\_

ATTACH TO THIS APPLICATION A CERTIFIED COPY OF THE WILL, PROBATE DISTRIBUTION INSTRUMENT, OR DIVORCE DECREE THAT SPECIFICALLY DISTRIBUTES THE LIQUOR LICENSE TO THE ASSIGNEE TO THIS APPLICATION.

**SECTION 10 Government: (for cities, towns, or counties only)**

1. Governmental Entity: \_\_\_\_\_  
2. Person/designee: \_\_\_\_\_  
Last First Middle Contact Phone Number

**A SEPARATE LICENSE MUST BE OBTAINED FOR EACH PREMISES FROM WHICH SPIRITUOUS LIQUOR IS SERVED.**

**SECTION 11 Person to Person Transfer:**

Questions to be completed by CURRENT LICENSEE (Bars and Liquor Stores ONLY-Series 06,07, and 09).

1. Current Licensee's Name: \_\_\_\_\_ Entity: \_\_\_\_\_  
(Exactly as it appears on license) Last First Middle (Indiv., Agent, etc.)

2. Corporation/L.L.C. Name: \_\_\_\_\_  
(Exactly as it appears on license)

3. Current Business Name: \_\_\_\_\_  
(Exactly as it appears on license)

Physical Street Location of Business: Street \_\_\_\_\_  
City, State, Zip \_\_\_\_\_

4. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_

5. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_

Current Mailing Address: Street \_\_\_\_\_  
(Other than business) City, State, Zip \_\_\_\_\_

Have all creditors, lien holders, interest holders, etc. been notified of this transfer?  YES  NO

Does the applicant intend to operate the business while this application is pending?  YES  NO If yes, complete Section 5 of this application, attach fee, and current license to this application.

6. I, \_\_\_\_\_, hereby authorize the department to process this application to transfer the  
(print full name)  
privilege of the license to the applicant, provided that all terms and conditions of sale are met. Based on the fulfillment of these conditions, I certify that the applicant now owns or will own the property rights of the license by the date of issue.

I, \_\_\_\_\_, declare that I am the CURRENT OWNER, AGENT, MEMBER, PARTNER  
(print full name)  
STOCKHOLDER, or LICENSEE of the stated license. I have read the above Section 11 and confirm that all statements are true, correct, and complete.

\_\_\_\_\_  
(Signature of CURRENT LICENSEE)

State of \_\_\_\_\_ County of \_\_\_\_\_  
The foregoing instrument was acknowledged before me this

\_\_\_\_\_  
Day Month Year

\_\_\_\_\_  
(Signature of NOTARY PUBLIC)

My commission expires on: \_\_\_\_\_

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**SECTION 12 Location to Location Transfer: (Bars and Liquor Stores ONLY)**

APPLICANTS CANNOT OPERATE UNDER A LOCATION TRANSFER UNTIL IT IS APPROVED BY THE STATE

1. Current Business: Name \_\_\_\_\_  
(Exactly as it appears on license) Address \_\_\_\_\_
2. New Business: Name \_\_\_\_\_  
(Physical Street Location) Address \_\_\_\_\_
3. License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
4. If more than one license to be transferred: License Type: \_\_\_\_\_ License Number: \_\_\_\_\_
5. What date do you plan to move? \_\_\_\_\_ What date do you plan to open? \_\_\_\_\_

**SECTION 13 Questions for all in-state applicants excluding those applying for government, hotel/motel, and restaurant licenses (series 5, 11, and 12):**

A.R.S. § 4-207 (A) and (B) state that no retailer's license shall be issued for any premises which are at the time the license application is received by the director, within three hundred (300) horizontal feet of a church, within three hundred (300) horizontal feet of a public or private school building with kindergarten programs or grades one (1) through (12) or within three hundred (300) horizontal feet of a fenced recreational area adjacent to such school building. The above paragraph DOES NOT apply to:

- a) Restaurant license (§ 4-205.02)
- b) Hotel/motel license (§ 4-205.01)
- c) Government license (§ 4-205.03)
- d) Fenced playing area of a golf course (§ 4-207 (B)(5))

1. Distance to nearest school: 5280 ft. Name of school Cottonwood-Oak Creek S.D. #6  
Address 1 North Willard Street Cottonwood, AZ, 86326  
City, State, Zip \_\_\_\_\_
2. Distance to nearest church: 6336 ft. Name of church Spirit of Joy Church  
Address 330 Scenic Drive Clarkdale, AZ 86324  
City, State, Zip \_\_\_\_\_
3. I am the:  Lessee  Sublessee  Owner  Purchaser (of premises)
4. If the premises is leased give lessors: Name Red River Cattle LLP  
Address 5601 West Elliot Road Laveen, AZ 85339  
City, State, Zip \_\_\_\_\_
- 4a. Monthly rental/lease rate \$ 4500 What is the remaining length of the lease 3 yrs.    mos.
- 4b. What is the penalty if the lease is not fulfilled? \$ \_\_\_\_\_ or other payment in full and repossession  
(give details - attach additional sheet if necessary)
5. What is the total **business** indebtedness for this license/location excluding the lease? \$ N/A  
Please list lenders you owe money to.

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Last	First	Middle	Amount Owed	Mailing Address	City State	Zip

(ATTACH ADDITIONAL SHEET IF NECESSARY)

3. What type of business will this license be used for (be specific)? winery and attached tasting room - Series 13

**SECTION 13 - continued**

- 7. Has a license or a transfer license for the premises on this application been denied by the state within the past one (1) year?  
 YES  NO If yes, attach explanation.
- 8. Does any spirituous liquor manufacturer, wholesaler, or employee have any interest in your business?  YES  NO
- 9. Is the premises currently licensed with a liquor license?  YES  NO If yes, give license number and licensee's name:  
 License # \_\_\_\_\_ (exactly as it appears on license) Name \_\_\_\_\_

**SECTION 14 Restaurant or hotel/motel license applicants:**

- 1. Is there an existing restaurant or hotel/motel liquor license at the proposed location?  YES  NO  
 If yes, give the name of licensee, Agent or a company name:

\_\_\_\_\_ and license #: \_\_\_\_\_  
 Last First Middle

- 2. If the answer to Question 1 is YES, you may qualify for an Interim Permit to operate while your application is pending; consult A.R.S. § 4-203.01; and complete SECTION 5 of this application.
- 3. All restaurant and hotel/motel applicants must complete a Restaurant Operation Plan (Form LIC0114) provided by the Department of Liquor Licenses and Control.
- 4. As stated in A.R.S. § 4-205.02.G.2, a restaurant is an establishment which derives at least 40 percent of its gross revenue from the sale of food. Gross revenue is the revenue derived from all sales of food and spirituous liquor on the license premises. By applying for this  hotel/motel  restaurant license, I certify that I understand that I must maintain a minimum of 40 percent food sales based on these definitions and have included the Restaurant Hotel/Motel Records Required for Audit (form LIC 1013) with this application.

\_\_\_\_\_  
applicant's signature

As stated in A.R.S § 4-205.02 (B), I understand it is my responsibility to contact the Department of Liquor Licenses and Control to schedule an inspection when all tables and chairs are on site, kitchen equipment, and, if applicable, patio barriers are in place on the licensed premises. With the exception of the patio barriers, these items are not required to be properly installed for this inspection. Failure to schedule an inspection will delay issuance of the license. If you are not ready for your inspection 90 days after filing your application, please request an extension in writing, specify why the extension is necessary and the new inspection date you are requesting. To schedule your site inspection visit [www.azliquor.gov](http://www.azliquor.gov) and click on the "Information" tab.

\_\_\_\_\_  
applicants initials

**SECTION 15 Diagram of Premises: (Blueprints not accepted, diagram must be on this form)**

Check ALL boxes that apply to your business:

- Entrances/Exits       Liquor storage areas      Patio:  Contiguous
- Service windows       Drive-in windows       Non Contiguous

Is your licensed premises currently closed due to construction, renovation, or redesign?  YES  NO  
 If yes, what is your estimated opening date? 05/31/2015  
 month/day/year

Restaurants and hotel/motel applicants are required to draw a detailed floor plan of the kitchen and dining areas including the locations of all kitchen equipment and dining furniture. Diagram paper is provided on page 7.

The diagram (a detailed floor plan) you provide is required to disclose only the area(s) where spiritous liquor is to be sold, served, consumed, dispensed, possessed, or stored on the premises unless it is a restaurant (see #3 above).

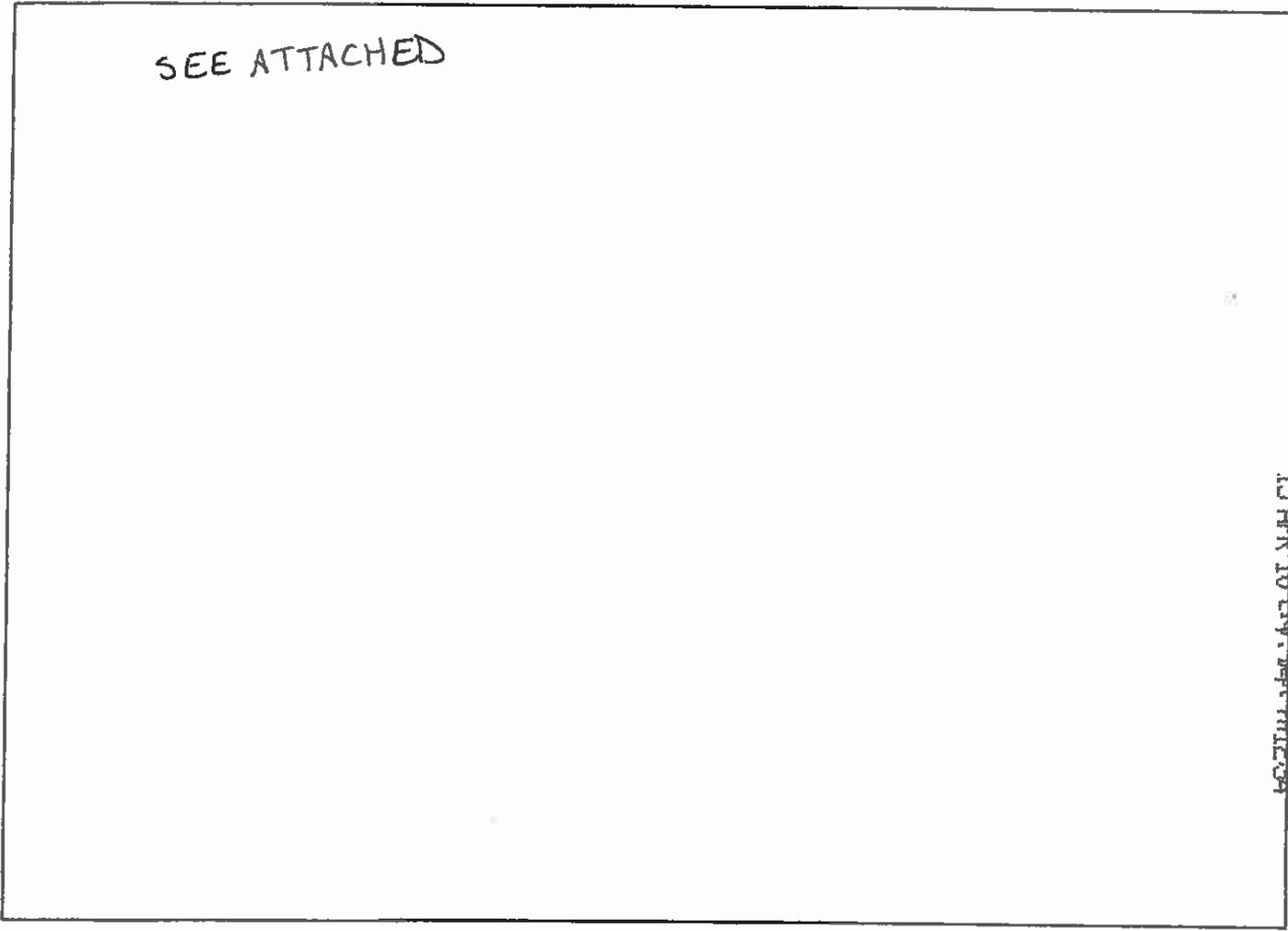
Provide the square footage or outside dimensions of the licensed premises. Please do not include non-licensed premises, such as parking lots, living quarters, etc.

As stated in A.R.S. § 4-207.01(B), I understand it is my responsibility to notify the Department of Liquor Licenses and Control when there are changes to boundaries, entrances, exits, added or deleted doors, windows or service windows, or increase or decrease to the square footage after submitting this initial drawing.

JMB  
applicants initials

4. In this diagram please show only the area where spirituous liquor is to be sold, served, consumed, dispensed, possessed or stored. It must show all entrances, exits, interior walls, bars, bar stools, hi-top tables, dining tables, dining chairs, the kitchen, dance floor, stage, and game room. Do not include parking lots, living quarters, etc. When completing diagram, North is up ↑.

If a legible copy of a rendering or drawing of your diagram of premises is attached to this application, please write the words "diagram attached" in box provided below.



**SECTION 16 Signature Block**

I, Joseph Michael Bechard, hereby declare that I am the OWNER/AGENT filing this application as stated in Section 4, Question 1. I have read this application and verify all statements to be true, correct and complete.

X [Signature]  
(signature of applicant listed in Section 4, Question 1)



State of ARIZONA County of YAVAPAI

The foregoing instrument was acknowledged before me this 25 of March, 2015  
Day Month Year

[Signature]  
signature of NOTARY PUBLIC

My commission expires on: 10/12/2015  
Day Month Year





# Staff Report

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**Agenda Item:** PUBLIC HEARING REGARDING CAPITAL TELECOM'S CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS FACILITY – a hearing to gather information from the public regarding Capital Telecom's Conditional Use Permit application for a wireless facility which includes a 65-foot high monopole tower and associated supporting infrastructure at 1450 SR 89A, Assessor's Parcel Number 406-26-010Y.

**Staff Contact:** Beth Escobar, Senior Planner

**Meeting Date:** May 12, 2015

**Background:**

Capital Telecom has submitted a conditional use permit application for a wireless facility at 1450 SR 89A. The proposal includes a 65-foot high monopole centered on a 40' x 60' area located at the northwest corner of the subject property. The compound will be enclosed by a 6-foot high chain link fence with a 12-foot wide sliding gate. The proposal includes a 12' x 20' equipment shelter, a new transformer and additional support infrastructure. No lighting is proposed for the facility, other than ground-mounted emergency motion-sensor lighting. No signage is proposed for the facility. The applicant will be leasing this area from the property owner. The current property owner purchased the subject property in 1999.

**Zoning and Vicinity**

This approximately 1.18 acre property is zoned Commercial. The property is accessed from SR 89A by Paloma Way, a privately owned easement. The subject property is not within the 89A Highway Overlay District. Surrounding land uses include Nate's Cowboy Café Restaurant, two storage facilities, a delivery services company and an auto mechanic business.

The Foothill Terrace subdivision is directly to the west of the subject property. There are several single-family residences to the south. The proposed Crossroads at Mingus Park is directly to the south.

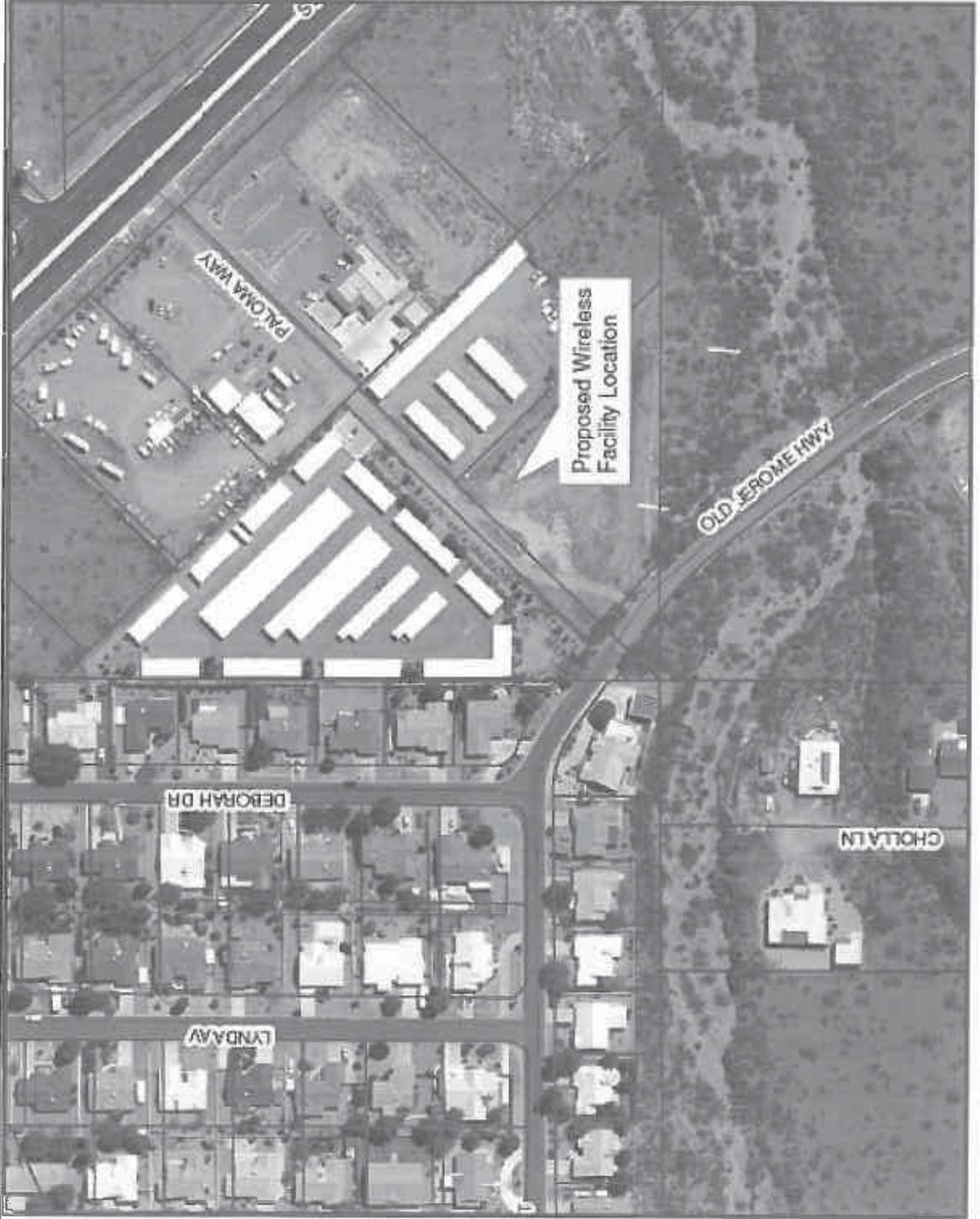
Per the Wireless Facilities Ordinance adopted July 10, 2013, cell towers are an allowed use in the Commercial District with a conditional use permit.

**Location**

The applicant has stated the proposed location meets their requirements for their network and will increase both network coverage and availability in the area. The applicant will be presenting a report to Council regarding the other locations they explored at the public hearing on May 12, 2015.



# Staff Report





# Staff Report

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## Application Requirements: Reviews conducted

### NEPA Review

The applicant was required to complete an Environmental Summary Report to the Environmental Protection Agency as part of its FCC permit application. As part of this summary, the application was sent to the following agencies for review and comment:

Native American Tribes in Arizona  
Yavapai County Flood Control via the Town of Clarkdale  
Arizona Game & Fish  
US Fish & Wildlife  
Arizona State Historic Preservation Office  
Army Corp of Engineers  
National Park Service  
Bureau of Land Management  
National Wilderness Preservation System

Per the requirements of the FCC, the applicant published a notice in the Verde Independent soliciting comments regarding possible environmental impact related to the proposed site on November 19 and 21, 2014.

Through this review process, the proposed facility was found to have no significant negative environmental impact.

### Internal Agency Review

The Clarkdale Police Department and Public Works Department submitted comments noting there is no secondary access to the site and stating this was a safety concern.

The Police Department has also requested the cell tower be pre-wired to accommodate placement of repeaters for emergency responders.

### Independent Expert Review

At the request of staff, an outside expert review of the application was completed by David Baker, Sr. with Mariner Wireless Services, a Tucson telecommunications firm. The expert review determined the application to be in full compliance with FCC regulations and the Town of Clarkdale ordinance.

The independent expert also agreed the proposed location best fits the applicant's network development requirements.



# Staff Report

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Because Mr. Baker would be unavailable for further review after the Planning Commission meeting, a second radio frequency expert, Richard Tannehill, was contracted to review the application. Mr. Tannehill has previously provided independent consulting to the City of Cottonwood in reviewing the cell tower application at the VFW property. Mr. Tannehill concurs with the statements of the previous review and will be submitting a written report to be presented to Council on May 12 at the public hearing.

The cost of the outside consultants was paid by the applicant as required under Town Ordinance 364 adopted August 8, 2014.

## Outside Agency Review

Per a request from the Cottonwood Airport Authority, the applicant submitted a review request to the Federal Aviation Administration and received a "Determination of No Hazard to Air Navigation" for the proposed wireless facility.

Morgan Scott of the Cottonwood Airport Authority has requested warning lights be installed on the tower. This is not a requirement per the FAA review, however, and it is staff's opinion lighting at the top of the tower would be a nuisance to the surrounding neighborhood. The subject property is approximately 1.3 miles from the western end of the Runway 14 at the Cottonwood Airport.

Yavapai County Flood Control noted the south property line is impacted by the North Fork of Mescal Gulch, however there are no issues or concerns for the location of the wireless facility.

The Clarkdale Fire Chief provided comments stating there is no basis to object to the application, however, the district would like to see a secondary access to the property for public safety reasons.

## Public participation

The applicant hosted a neighborhood meeting on Tuesday, February 17, 2015. A summary of this meeting, provided via email by the applicant's representative, follows:

Our neighborhood meeting at 4:00 also went well. About 30 people attended. About 10 of them were quite vocal and asked a lot of questions. Following the meeting we had about a dozen neighbors come up to tell us they supported the site, and apologized for some of their more vocal neighbors.

Notices of the Planning Commission and Town Council public hearings were mailed to 108 property owners within 1,000 feet of the subject property. Per state statute, the Town is required to notify property owners within 300 feet. The Community Development Department policy is to extend the notification distance to 1,000 feet for all public hearing items.



# Staff Report

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Two legal notices of the Planning Commission public hearing were published in the Verde Independent on February 15 and March 1, 2015.

A legal notice for the Town Council public hearing was published in the Verde Independent on April 26, 2015.

The property was posted for each public hearing.

## **Town Regulations**

The Town's wireless communication facilities regulations, Ordinance #352, became effective August 9, 2013. This ordinance allows wireless facilities in commercial and industrial districts as a conditional use. The maximum allowable height for a cell tower in a commercial district is 65 feet. The purpose of having conditional uses in the Zoning Code is to allow for a process through which the proposed use is examined to determine its impact at a specific location.

## **Planning Commission**

Per Section 5-5 of the Town Zoning Code, the Planning Commission shall make findings on a conditional use permit application based on the following six elements:

1. **Applicable Regulations:** Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statute, and any ordinance or policies that may be applicable.
2. **Bulk Regulations:** The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
3. **Performance:** That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience of persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general in that the facility, once completed should not interfere with the day-to-day operations of the existing businesses.
4. **Traffic Impacts:** The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.
5. **Landscaping:** Landscaping and/or fencing of the proposed development assures that the site development will be compatible with adjoining areas and with the intent of Town policies.



# Staff Report

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6. **Nuisance:** That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibrations, signage or illumination.

## Staff Analysis:

**Applicable Regulations – Zoning Ordinance:** Ordinance #352, Wireless Communication Facilities, became effective August 9, 2013. This ordinance allows cell towers up to a maximum of 65 feet in height in the Commercial Zoning District with a conditional use permit. The ordinance includes a list of nine items required to be included in the conditional use permit application. The applicant has provided all nine of these items.

The Town's Wireless Ordinance does not permit placement of cell towers in the 89A Overlay District. This previously established overlay district extends 500 feet on either side of the center line of the highway and identifies an important viewshed along the highway corridor. This prohibition leaves only a few properties in the area meeting the applicant's siting requirements. All of these potential properties abut property zoned for residential development.

The Federal Communications Commission oversees the regulations for wireless service facilities. Section 332(c) (7) of the Communications Act prohibits local governments from discriminating among providers and from prohibiting the provision of personal wireless services.

Until the Town adopted the Wireless Facilities Ordinance in 2013 the Town was not in compliance with this section because wireless facilities were not included as a use in any of the zoning districts.

Staff found no specific references to wireless facilities in the 2012 Clarkdale General Plan.

**Bulk Regulations –** The 1.18-acre site is adequate to accommodate the proposed use. The wireless facility would not conflict with the various surrounding commercial uses.

**Performance – Visibility:** The Planning Commission conducted a site visit to the subject property on February 17, 2015. The applicant had placed a balloon on the site. The top of the displayed balloon was at 65 feet. The 12-foot width of the balloon demonstrated the width of the proposed array at the top of the cell tower.

During the site visit, the top of the balloon appeared as high as the top of the Mogollon Rim in the distance from the properties to the south along Cholla Lane. Along the SR 89A Highway, the balloon was noticeable against the background of the existing vegetation and was higher than the flag pole at the property in front of the site. The balloon appeared visible to the residences along Deborah Drive, particularly the two properties at the south end of Deborah Drive in the Foothills Terrace subdivision which are less than 300 feet away from the proposed site. The balloon did



# Staff Report

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not appear visible from the rest of this subdivision. The balloon was also visible from homes in the Mescal Spur neighborhood, specifically those along Cholla Lane. These homes were constructed in the late 1990's and the 2000's.

The homes along Deborah Drive abut commercially zoned property. These homes were constructed in the 1990's. The commercial corridor along SR 89A, including the subject property, has been zoned commercial since adoption of the first Town of Clarkdale zoning map in 1973, prior to construction of the surrounding homes. The maximum height allowance for buildings in the commercial zoning district is 50 feet.

The Town of Clarkdale Zoning Code does not include protection of individual views other than within the 89A Overlay District. Recognition of the 89A view corridor was established by adoption of the Overlay District in 2006.

In order to mitigate visual impact of the cell tower, the applicant has proposed to paint the tower a beige color to blend into the view.

The applicant will also provide examples of possible stealth towers at the May 12 Council meeting.

Staff has discussed with the applicant the possibility of planting landscaping along the boundaries of the subject property to provide screening of the proposed complex. The subject property is edged by native landscaping providing natural screening of the area. The eastern border of the storage facility located on the other side of the town right-of-way has an existing 10-foot wide landscape barrier. Any additional landscaping would require extension of water service to the property and installation of an irrigation system. If the Council chooses to approve the conditional use permit application, **staff would like direction from Council regarding requiring additional landscaping on the site.**

**Performance – Impact on public health, safety, welfare:** Per the FCC, the radio frequency emissions of the proposed tower will be no more than 0.035 percent of the Commission's maximum permissible exposure.

Section 332(c) (7) of the Communications Act preempts local zoning decisions based directly or indirectly on the environmental effects of radio frequency (RF) emissions from a cell tower. Staff will therefore not address this issue in this report.

No hazardous materials will be stored on site creating a hazard from explosion, contamination or fire. If the conditional use permit receives approval, a building permit for the facility will be required. The cell tower must meet Electronic Industries Alliance/Telecommunication Industries



# Staff Report

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Association standards. The building permit will be forward to Yavapai County Flood Control for review and approval.

The noise generated by the facility will be minimal and comparable to the noise generated by a typical single-family residence. (See attached email from the applicant's engineer). Traffic to the facility once construction is complete will also be minimal. In staff's opinion, the proposed facility will be no more of a nuisance than other various commercial uses permitted by right in the commercial zoning district.

The applicant is proposing a 6-foot high chain link fence to surround the complex. Staff has suggested the bottom half of the fence should be a solid material to prevent entrance of pack rats and other destructive vermin.

The Clarkdale Police Department has requested the applicant grant an easement on the tower for the installation of public safety communication repeaters. This request would increase public safety by providing redundancy for the public safety dispatch system. These repeaters are encompassed in a whip antennae which extends approximately 2 feet from the top of the tower.

Since installation of the requested public safety repeater antennae would exceed the 65-foot maximum height allowance for a cell tower structure, staff would need to take a request forward to the Board of Adjustment for a variance of the height requirement should the conditional use permit application be approved.



**Performance – Traffic:** During agency review of the application it was noted there is only one legal access to the subject property and the surrounding businesses. This is considered a safety concern for the properties in general, both for evacuation purposes in an emergency and access by public safety personal in case the SR 89A access is blocked. Staff has included a recommended condition of approval requiring the applicant complete a road connection to Old Jerome Highway.

**Property Values** – During the Planning Commission public hearing several residents stated installation of the tower would decrease their property values. Staff has researched this issue and found opinions differ on whether a cell tower in vicinity of homes negatively impacts property values or whether the availability of good cell service positively impacts property values. The applicant, Capital Telecom, will be presenting information to the Council regarding existing cell towers in the Verde Valley. Staff has researched property values for property within 500 feet of these established facilities and has found no evidence of a decrease in the property evaluation as



# Staff Report

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set by the Yavapai County Assessor. Per the Town Attorney, loss of property value must be substantiated on a case by case basis.

**Summary:** In staff's opinion, and with the recommended conditions, the application is in compliance with the required findings for a Conditional Use Permit.

## **Approval Process for Wireless Facilities**

Per the Telecommunications Act of 1996 the Federal Communication Commission has the final authority for approval of all wireless communication facilities. One of the initial steps required by the FCC is an environmental assessment, which as previously noted has been completed by the applicant. The second step is the zoning entitlement process.

The FCC has already issued the radio station authorization to Verizon Wireless for Northern Arizona.

## **Planning Commission Public Hearing**

In the staff report to the Planning Commission, staff stated it has determined the Conditional Use Permit application to be complete and in compliance with the requirements of Section 4-18 of the Town of Clarkdale Zoning Code.

Approximately 40 people attended the Planning Commission public hearing on March 17, 2015. Sixteen people spoke in opposition to the application, citing negative impacts to health, views and property values and two people spoke in support citing the need for better wireless coverage. In addition, staff read into the record two letters submitted in opposition to the proposal and one email submitted in support of the proposal.

At the meeting, Ms. Karen Daniels submitted 231 signatures of residents within one mile of the subject property expressing opposition to cell towers within one mile of their homes. A second petition, containing 123 signatures of residents throughout the Verde Valley obtained at Nate's Cowboy Café in opposition to placement of a cell tower in close proximity to the restaurant was also submitted.

## **Planning Commission Action:**

At their March 17 meeting, having found the application to be in conformance with the regulations for a conditional use permit, the Commission voted unanimously (4-0) to move the application forward for review by Town Council with a recommendation of approval based on the following conditions:

1. A building permit shall be issued prior to construction of the facility.



# Staff Report

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2. No lighting, other than the motion sensor emergency lighting described in the staff report shall be installed.
3. All components of the facility shall be removed at the expense of the applicant/property owner if the facility is decommissioned and not used for 180 consecutive days.
4. Any substantial change to the project dimensions by more than 10 percent of the design of the facility as approved will require an additional Conditional Use Permit application.
5. The applicant will grant an easement to public safety entities for placement of repeaters on the tower to enhance communications. The applicant, at their expense, will prewire the proposed cell tower for ease of future installation of these repeaters. Design and installations shall be coordinated with a vendor designated by the Clarkdale Police Department.
6. The applicant will participate in facilitating broadband infrastructure development in the Verde Valley as opportunity arises.
7. The applicant shall improve the Town right-of-way along the western boundary of the subject property including engineering, design and installation of a finished road to connect to Old Jerome Highway.

## **Protest Provision**

After the Planning Commission action, Ms. Karen Daniels of 1565 N. Cholla submitted a written protest including signatures of forty-two percent of the property owners within 200 feet of the subject property. Per Section 5-3.A.4 of the Zoning Code, a three-fourths majority of the Council shall be required to approve this conditional use permit application.

## **Complaints**

Subsequent to the Planning Commission public hearing, staff received a complaint relative to illegal grading without a permit and disbursement of possible hazardous materials (asphalt millings) during the illegal grading. This complaint is being handled by the standard procedure through the Community Development Department.

A similar complaint had previously been made to the Federal Communications Commission as part of the public comment period for the required environmental assessment for this project. Per an email from a FCC representative dated March 10, 2015:



# Staff Report

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“A review of this application, including the request for further environmental review, as supplemented, and responses, does not indicate that the proposed structure may have a significant effect on the environment under the Commissions’ rules”.

## **Time Constraints**

In 2010 the Federal Communications Commission issued an administrative ruling supplemental to the 1996 Telecommunications Act establishing a 150 day time period for local governments to make a decision on new wireless facilities. The Capital Telecom wireless facility conditional use permit from Capital Telecom was determined to be complete on February 2, 2015. This is when the check for the application fee was received. According to FCC regulations, the Town has until July 2, 2015 to act on the application. A failure to provide a decision on the application within this ‘shot clock’ time frame allows the applicant to bring legal action against the Town to demand a decision.

**Recommendations** This is a Public Hearing, no action necessary

### Attachments:

1. Copies of written public comment received

**Capital Telecom Conditional Use Permit**

**Case Number: CUP -091011**

**Town Council Public Hearing**

**Written comments submitted to the Community  
Development Department as of April 27, 2015**

READ INTO THE RECORD AT  
3:17 PLANNING COMMISSION  
MEETING

Greg and Mary Kirkland  
1480 Deborah Drive  
Clarkdale, AZ 86324  
[mkgk10@cableone.net](mailto:mkgk10@cableone.net)  
[REDACTED]

March 12, 2015

Planning Commission and Town Council  
Town of Clarkdale  
PO Box 308  
Clarkdale, AZ 86324

Subject: Case Number CUP-091011, Capital Telecom

Dear Committee Members:

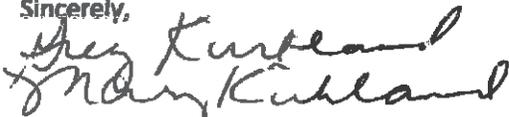
I would like to state for the record that my wife and I are emphatically opposed to the placement of the cell tower in our neighborhood. There are many reasons we're opposed to this.

The population directly in the field of the tower includes the elderly and young children; we do not want to expose our families to this RF radiation! This is one of the most densely populated areas of Clarkdale. Also the tower will obstruct our view of the red rocks of Sedona which will affect our property values. The health dangers are well documented in many reports since the FCC approved cell towers close to populated areas. Because of the many documented reports showing the health risk of concentrated EMR/RF radiation we feel this would be an unforgivable act by the city and mayor if allowed so close to its citizen's homes. If this tower is erected in this very sensitive location this could have a devastating effect financially on the city of Clarkdale.

We also feel this would be extremely hypocritical of the city since they encourage sustainability, clean air, and a clean environment for its citizens. This is one of the reasons we decided to settle here and raise our family here 27 years ago. Don't let our town succumb to the big cell phone companies' pressure. Stand with the many towns throughout the country who have said no to this well documented health risk to our citizen/voters.

Do the right thing for all of us: vote this down.

Sincerely,



Greg and Mary Kirkland  
Homeowners and Residents

READ INTO THE RECORD  
AT THE 3/17 PLANNING  
COMMISSION MEETING

**Beth Escobar**

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**From:** Lynda Zanolli [REDACTED]  
**Sent:** Tuesday, March 17, 2015 12:59 PM  
**To:** Beth Escobar  
**Subject:** Cell tower

Please share this at the meeting tonight. As a Clarkdale resident and a neighborhood resident that would benefit from a new cell tower, my opinion is to build it.

Lynda

\*\*\* Town of Clarkdale office hours are Monday – Thursday from 8:00 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 12:00 p.m. (noon). \*\*\*

All messages created in this system belong to the Town of Clarkdale and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. 39-121). Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology.

In addition, to ensure compliance with the Open Meeting Law, Council or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the Town of Clarkdale. Council Members or Board/Commission Members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board Members.

Cynthia Fawcett, RN, BSN

671 Reta St.  
Clarkdale, AZ 86324

  
cynfawcett@yahoo.com

March 10, 2015

Town of Clarkdale, Community Development Department  
PO Box 308  
Clarkdale, AZ 86324

ATTN: Ms. Beth Escobar, Senior Planner, and Planning Commission

SUBJ: Conditional Use Permit Application for a Wireless Facility including a 65-foot high monopole tower and associated supporting infrastructure at 1450 SR 89A, Assessor's Parcel Number 406-26-010Y. Applicant is Capital Telecom. Case Number: CUP-091011

Dear Ms. Escobar and Planning Commission members:

Please read this letter into the minutes of the public hearing scheduled for Tuesday, March 17th, 2015 at 16:00; this matter is of great importance and my work schedule prevents me from attending until early evening.

As a health care professional, homeowner and resident living within 1500' of the subject site, I adamantly oppose this location for a cell tower. My reasons are abundant.

This parcel directly abuts a very dense and extensive residential neighborhood. The immediate subdivision area is zoned R1 (single family residential), and is surrounded by R3, R4 and R4A (all residential). (See *General Plan, Town of Clarkdale Housing*.) Although the site itself is designated highway commercial (See *General Plan, Land Use Plan*), it is obvious that certain commercial uses would negatively impact this vast residential area more than others: a cell tower is such a use.

First, the tower will surely be an eyesore, a direct detriment to the extraordinary red rock view these many residents and homeowners enjoy. Arguably the prominent feature in the choice to purchase and or reside here in the foothills area of Clarkdale, our view is vast and currently uninterrupted by any strong vertical lines; in fact, there is a marked horizontal nature to all aspects of this neighborhood, even the current structures on the 89A commercial strip we border.

The cell tower, by ruining our views, would lessen the enjoyment of our homes, reduce the desirability of our real estate, and thereby the resale ability and resale value of our properties.

Secondly, the cell tower, by definition, exudes an air pollution of electromagnetic radiation (EMR) the effects of which have not yet been studied extensively enough to demonstrate any level of safety. To the contrary, exposures at such close distances for 12-24 hours daily, continuously, which is what would happen to our residents, may be extremely hazardous to human health. There is evidence of damage to enzymes, cell tissue and DNA, and links to brain tumors, cancer, suppressed immune function, depression, miscarriage, Alzheimer's disease, neurological disorders and numerous other serious illnesses. For this reason, multiple municipalities have restricted cell tower placements from areas with hospitals, childcare, schools, or senior support centers. Even if one questions the direct effect on human, animal and plant life that these studies suggest, the perception of negative health effects is a fact: many people believe that living in close proximity to a cell tower is dangerous to their health, the health of their families, and their pets. It is this perception that will cause our homes and properties to be less desirable to potential buyers, in fact unsellable to a large group of conscientious buyers, who do have a choice not to buy near a cell tower.

Our town has promised to protect it's residents and property owners by including this clause in the commercial zoning code,

**Fly Ash, Dust, Fumes, Vapors, Gases and Other Forms of Air Pollution-**

No emission shall be permitted which can cause damage to health, to animals, to vegetation, to other forms of property, or which can cause any excessive spoiling.

Our town has pledged in the General Plan to take no action to adversely effect our health, views, or property values.

In closing, I understand that there is a desire by the non resident applicant, and perhaps other persons who do reside in our town, to place an additional cell tower in Clarkdale. Although I have no specific suggestion for such a site, I would recommend that it not be within 200' of multiple residences, nor 1500' of many more, nor adjacent to a dense residential neighborhood. Please do not place this cell tower here, approximately 500' from my one and only beloved home.

Sincerely,



Cynthia Fawcett, RN, BSN  
Homeowner and Resident

APRIL 13, 2015

TO: BETH ESCOBAR, SENIOR PLANNER  
TOWN OF CLARKDALE  
FROM: GARY MORGAN  
RE: PILES and FILL DIRT @ CELL TOWER SITE

At the Planning Commission Meeting  
a public comment made reference to the  
site grade. This comment needs to be clarified.  
Was it referring only to piles along the  
fence at the adjoining property or a  
condition existing over the entire site?  
If the latter is the case an investigation  
is warranted to determine if the  
existing site elevation is the result of  
placement of uncontrolled, uncompacted,  
unpermitted fill.

THE OTHER ISSUE THAT NEEDS ATTENTION IS LAST WEEK GRADING ACTIVITY.

I CALLED AND YOU EXPLAINED THAT YOU HAD DIRECTED THE PROPERTY OWNER TO REMOVE THE DIRT PILES. YOU CONFIRMED THROUGHOUT OUR PHONE CONVERSATION THAT YOUR INTENTION WAS TO HAVE THE DIRT HAULED AWAY.

I BELIEVE A SITE REVIEW SHOULD BE MADE AND TRUCKING RECORDS OBTAINED TO CONFIRM THAT THE DIRT WAS, IN FACT, HAULED AND NOT JUST SPREAD AROUND ON SITE.

THANK YOU

GARY MORGAN  
CLARKDALE RESIDENT  
and HOME OWNER

(MY CONTACT INFORMATION IS AVAILABLE AT THE CLARKDALE COMMUNITY DEVELOPMENT DEPARTMENT)

APRIL 9, 2015

TO: BETH ESCOBAR, SENIOR PLANNER  
RE: FCC CORRESPONDENCE

ENCLOSED IS COPY OF MY CORRESPONDENCE WITH THE FEDERAL COMMUNICATION COMMISSION. I WAS ENCOURAGED BY THEIR RESPONSE. "WE ARE INVESTIGATING THE MATTER."

HOWEVER, TIME IS PASSING AND THERE HAS BEEN NO NEW COMMUNICATIONS FROM EITHER THE FCC OR CAPITAL TELECOM REGARDING WHY I WAS LEFT OUT OF THE INITIAL DISCUSSION LOOP.

I AM CONCERNED THAT THE MAYOR AND TOWN COUNCIL WILL TAKE ACTION APPROXING THE CONDITIONAL USE PERMIT WITHOUT MY QUESTIONS BEING ADDRESSED.

PLEASE DISTRIBUTE ENCLOSED COPIES.



MAYOR AND TOWN COUNCIL  
COMMUNITY DEVELOPMENT DIRECTOR

GARY MORGAN

CLARKDALE RESIDENT AND HOMEOWNER

(MY CONTACT INFORMATION IS AVAILABLE AT THE PLANNING DEPARTMENT FOR TOWN OFFICIAL WHO MAY WANT TO DISCUSS THE CONTENT OF THIS TRANSMITTAL)

**Clara Henry**

---

**From:** Mania Baghdadi  
**Sent:** Wednesday, March 18, 2015 9:40 AM  
**To:** 'Greg Lake'; 'Chris Schroeder'; 'Tom Waniewski'; 'svonrein@capitaltelecom.com'; 'Jacqueline Brooks'  
**Cc:** Jeffrey Steinberg; Aaron Goldschmidt; Jennifer Flynn; Erica Rosenberg  
**Subject:** RE: ASR App No. A0926026 (Clarkdale, AZ)  
**Attachments:** 20150318082259.pdf

Attaching Mr. Morgan's letter as well.

Mania Baghdadi  
Attorney/Advisor  
FCC/WTB/SCPD

By first class mail to Gary W. Morgan  
1461 Deborah Drive  
Clarkdale, AZ 86324

**From:** Mania Baghdadi  
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Mr. Morgan:

We have just received the attached letter from you. The deadline for filing requests in the proceeding had passed by the time we received your letter, and we have issued a decision regarding a request filed by another member of the public regarding the application, a copy of which is attached. Nonetheless, we have filed your letter in the record of the proceeding. Thank you for informing us about your difficulties in contacting the applicant. We are investigating the matter.

Mania Baghdadi  
Attorney/Advisor  
FCC/WTB/SCPD

By first class mail to Gary W. Morgan  
1461 Deborah Drive  
Clarkdale, AZ 86324

FEBRUARY 26, 2015

ATTN: RAMON WILLIAMS  
FCC ENVIRONMENT REVIEW  
445 12TH STREET SW  
WASHINGTON D.C. 20554

RE: CAPITAL TELECOM PROPOSAL  
TO INSTALL A MONOPOLE  
TELECOMMUNICATION TOWER  
DISGUISED AS A PINE TREE  
(FILE N<sup>o</sup> AC921475)

ACCORDING TO THE PUBLIC NOTICE (COPY ATTACHED)  
COMMENTS WERE DUE IN OCTOBER 2014  
SO I WILL NOT EXPRESS MY CONCERN IN THIS  
COMMUNICATION OTHER THAN TO STATE  
THE LOCATION IS INAPPROPRIATE.

MY PURPOSE IN WRITING AT THIS TIME  
IS TO BE ON RECORD THAT I CALLED THE  
PHONE NUMBER GIVEN AS THE SOURCE FOR  
SPECIFIC INFORMATION REGARDING THE PROJECT.  
I WANTED TO OBTAIN A COPY OF THE  
APPLICATION 854. I WAS INTERESTED  
IN UNDERSTANDING THE EVALUATION PROCESS  
THAT LEAD TO THE SELECTION OF THIS  
PARTICULAR SITE AND HOW ENVIRONMENTAL  
CONCERNS ARE BEING ADDRESSED.

OVER



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

Mr. Gary W. Morgan  
1461 Sherman Avenue  
Clarkdale, AZ 86324

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 MAYOR AND TOWN COUNCIL  
 COMMUNITY DEVELOPMENT DIRECTOR

GARY MORGAN  
CLARKDALE RESIDENT AND HOMEOWNER

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1000 10th Street

Washington, D.C.

FCC Mail Room

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CUR



1003

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, DC 20554

OFFICIAL BUSINESS  
PENALTY FOR PRIVATE USE, \$300

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1461 Federal Drive  
Clarkdale, AZ 86324

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**Subject:** ASR App No. A0926026 (Clarkdale, AZ)

Mr. Morgan:

We have just received the attached letter from you. The deadline for filing requests in the proceeding had passed by the time we received your letter, and we have issued a decision regarding a request filed by another member of the public regarding the application, a copy of which is attached. Nonetheless, we have filed your letter in the record of the proceeding. Thank you for informing us about your difficulties in contacting the applicant. We are investigating the matter.

Mania Baghdadi  
Attorney/Advisor  
FCC/WTB/SCPD

By first class mail to Gary W. Morgan  
1461 Deborah Drive  
Clarkdale, AZ 86324

RECEIVED BY [unclear]

[unclear]

[unclear]

FEBRUARY 26, 2015

ATTN: RAMON WILLIAMS  
FCC ENVIRONMENT REVIEW  
445 12TH STREET SW  
WASHINGTON D.C. 20554

RE: CAPITAL TELECOM PROPOSAL  
TO INSTALL A MONOPOLE  
TELECOMMUNICATION TOWER  
DISGUISED AS A PINE TREE  
(FILE N<sup>o</sup> AC921475)

ACCORDING TO THE PUBLIC NOTICE (COPY ATTACHED)  
COMMENTS WERE DUE IN OCTOBER 2014  
SO I WILL NOT EXPRESS MY CONCERN IN THIS  
COMMUNICATION OTHER THAN TO STATE  
THE LOCATION IS INAPPROPRIATE.

MY PURPOSE IN WRITING AT THIS TIME  
IS TO BE ON RECORD THAT I CALLED THE  
~~PHONE NUMBER~~ GIVEN AS THE SOURCE FOR  
SPECIFIC INFORMATION REGARDING THE PROJECT.  
I WANTED TO OBTAIN A COPY OF THE  
APPLICATION 854. I WAS INTERESTED  
IN UNDERSTANDING THE EVALUATION PROCESS  
THAT LEAD TO THE SELECTION OF THIS  
PARTICULAR SITE AND HOW ENVIRONMENTAL  
CONCERNS ARE BEING ADDRESSED.

OVER



FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, DC 20554

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

Mr. Gary W. Morgan  
1461 Sherman Avenue  
Clarkdale, AZ 86324

MARCH 26, 2015

TO: CLARKDALE MAYOR AND TOWN COUNCIL  
FROM: GARY MORGAN  
RE: MARCH 17 PLANNING COMMISSION MEETING  
ENCL: MY COMMENTS AT THE MEETING

THE ROOM WAS FULL OF PRESENTERS, LIKE MYSELF,  
WHO VOICED CONCERN REGARDING THE LOCATION  
OF THE PROPOSED CELL TOWER.  
WHAT A WASTE OF OUR TIME !!

WITH A LONG LIST OF PUBLIC CONCERNS  
AND WITH NO EVALUATION OR JUSTIFICATION  
BY THE COMMISSION THE VICE-CHAIRPERSON  
ANNOUNCED (QUOTE)

" I SEE NO REASON TO DENY THIS. "  
WITHIN 5 MINS THE OTHER COMMISSIONERS  
CONCURRED AND AGREED THAT THEIR  
RECOMENDATION BE SENT ON TO TOWN COUNCIL;  
COMPLETELY IGNORING, WITHOUT ANY  
CONSIDERATION, THE PUBLIC INPUT.

COPIES:

- BETH ESCOBAR; SENIOR PLANNER
- JODIE FILARDO; COMMUNITY DEVELOPMENT DIRECTOR

A CELL TOWER INSTALLATION IS NOT COMPATIBLE WITH THE ESTABLISHED NEIGHBORHOODS AND PLANNED NEW HOME CONSTRUCTION IN THE FOOTHILLS RESIDENTIAL DISTRICT.

A USE PERMIT APPROVAL WILL TURN THE COMMERCIAL ZONING INTO AN INDUSTRIAL USE WITH UNIQUE OPERATIONAL DEMANDS, POSSIBLE EMERGENCY SITUATIONS, AND SECURITY RISKS.

WITH ALL THE UNDEVELOPED INDUSTRIAL ZONED PROPERTY IN CLARKDALE AND THROUGHOUT THE VERDE VALLEY THERE MUST BE MORE APPROPRIATE LOCATIONS FOR THIS CELL TOWER.

IF INTERPRETATION OF THE ZONING CODE ALONE IS UTILIZED, A CASE FOR APPROVAL CAN BE MADE. HOWEVER, WHEN THE 2012 GENERAL PLAN FOR CLARKDALE IS TAKEN INTO CONSIDERATION THERE ARE OBJECTIVES AND GUIDELINES NOT SATISFIED. FOR EXAMPLE, THE ZONING CODE PLACES LITTLE OR NO VALUE ON QUALITY OF LIFE ISSUES, WHILE THE GENERAL PLAN RATES THEM AS HIGHLY IMPORTANT.

AS FOR MY PERSONAL CONCERNS, THE TOWER LOCATION IS ONLY A FEW HUNDRED FEET AWAY FROM THE HOME ON DEBORAH DRIVE OWNED BY MY MOTHER AND MYSELF.

I AM 69 AND MY MOTHER IS 96 YEARS OLD. BOTH OF US ARE AT HOME MOST ALL THE TIME. DAY AND NIGHT WE WOULD BE CONTINUALLY EXPOSED TO ANY HEALTH, ENVIRONMENTAL, ECONOMIC, AND EMOTIONAL CONSEQUENCE OF LIVING SO CLOSE TO THIS TOWER.

MY FINAL OBSERVATION IS THAT THE TOWER WILL BE AN UGLY EYESORE; AND DIRECTLY ACROSS OLD JEROME HIGHWAY IS THE PLANNED LOCATION OF A 3 1/2 ACRE PARK.

PLEASE DENY THIS APPLICATION!

GARY MORGAN  
CLARKDALE RESIDENT  
AND HOME OWNER



# Staff Report

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**Agenda Item:**           **CAPITAL TELECOM'S CONDITIONAL USE PERMIT APPLICATION FOR A WIRELESS FACILITY** – Discussion and possible action regarding Capital Telecom's Conditional Use Permit application for a wireless facility which includes a 65-foot high monopole tower and associated supporting infrastructure at 1450 SR 89A, Assessor's Parcel Number 406-26-010Y.

**Staff Contact:**           Beth Escobar, Senior Planner

**Meeting Date:**           May 12, 2015

**Background:**

Capital Telecom has submitted a conditional use permit application for a wireless facility at 1450 SR 89A. The proposal includes a 65-foot high monopole centered on a 40' x 60' area located at the northwest corner of the subject property. The compound will be enclosed by a 6-foot high chain link fence with a 12-foot wide sliding gate. The proposal includes a 12' x 20' equipment shelter, a new transformer and additional support infrastructure. No lighting is proposed for the facility, other than ground-mounted emergency motion-sensor lighting. No signage is proposed for the facility. The applicant will be leasing this area from the property owner. The current property owner purchased the subject property in 1999.

**Zoning and Vicinity**

This approximately 1.18 acre property is zoned Commercial. The property is accessed from SR 89A by Paloma Way, a privately owned easement. The subject property is not within the 89A Highway Overlay District. Surrounding land uses include Nate's Cowboy Café Restaurant, two storage facilities, a delivery services company and an auto mechanic business.

The Foothill Terrace subdivision is directly to the west of the subject property. There are several single-family residences to the south. The proposed Crossroads at Mingus Park is directly to the south.

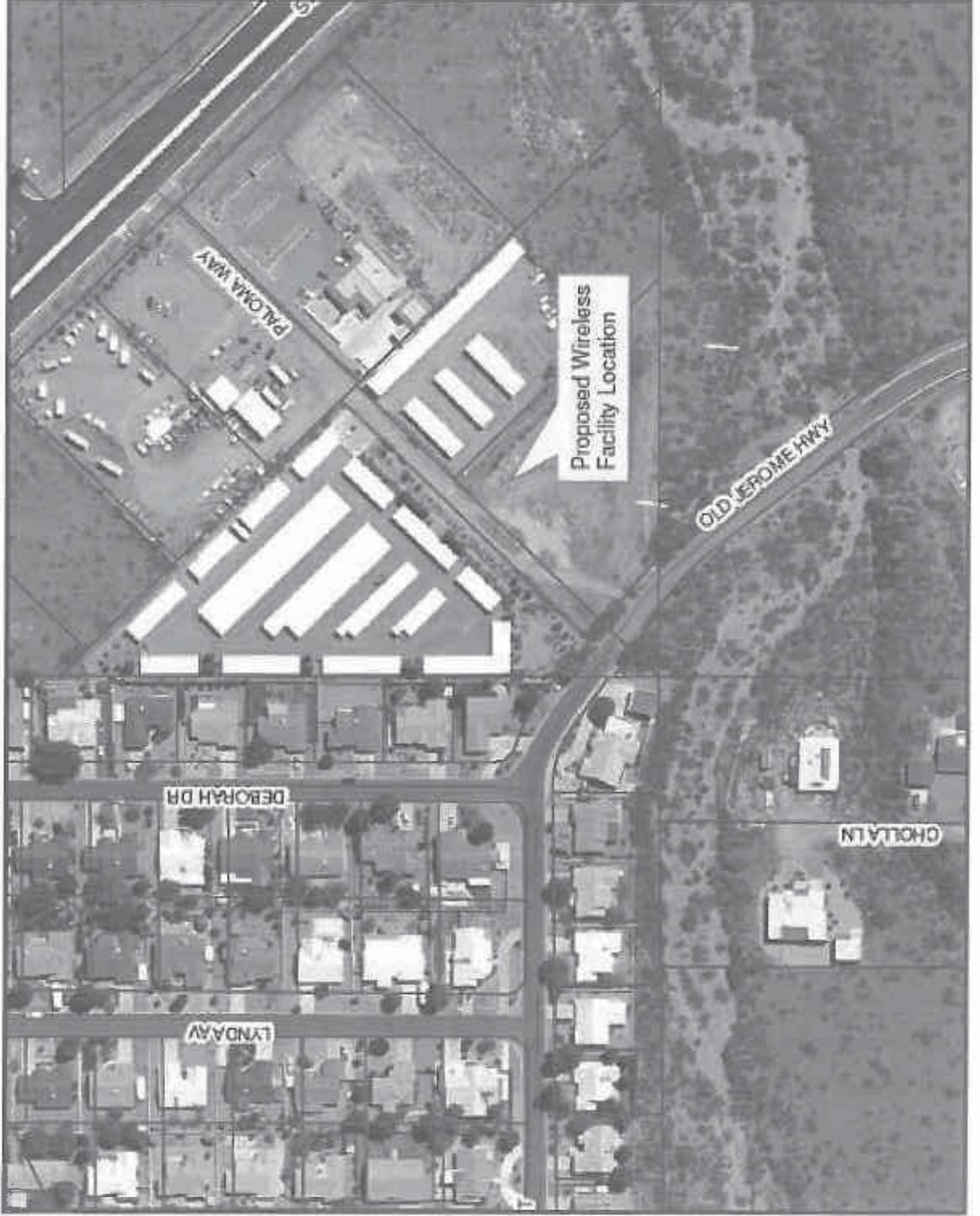
Per the Wireless Facilities Ordinance adopted July 10, 2013, cell towers are an allowed use in the Commercial District with a conditional use permit.

**Location**

The applicant has stated the proposed location meets their requirements for their network and will increase both network coverage and availability in the area. The applicant will be presenting a report to Council regarding the other locations they explored at the public hearing on May 12, 2015.



# Staff Report





# Staff Report

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## Application Requirements: Reviews conducted

### NEPA Review

The applicant was required to complete an Environmental Summary Report to the Environmental Protection Agency as part of its FCC permit application. As part of this summary, the application was sent to the following agencies for review and comment:

Native American Tribes in Arizona  
Yavapai County Flood Control via the Town of Clarkdale  
Arizona Game & Fish  
US Fish & Wildlife  
Arizona State Historic Preservation Office  
Army Corp of Engineers  
National Park Service  
Bureau of Land Management  
National Wilderness Preservation System

Per the requirements of the FCC, the applicant published a notice in the Verde Independent soliciting comments regarding possible environmental impact related to the proposed site on November 19 and 21, 2014.

Through this review process, the proposed facility was found to have no significant negative environmental impact.

### Internal Agency Review

The Clarkdale Police Department and Public Works Department submitted comments noting there is no secondary access to the site and stating this was a safety concern.

The Police Department has also requested the cell tower be pre-wired to accommodate placement of repeaters for emergency responders.

### Independent Expert Review

At the request of staff, an outside expert review of the application was completed by David Baker, Sr. with Mariner Wireless Services, a Tucson telecommunications firm. The expert review determined the application to be in full compliance with FCC regulations and the Town of Clarkdale ordinance.

The independent expert also agreed the proposed location best fits the applicant's network development requirements.



# Staff Report

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Because Mr. Baker would be unavailable for further review after the Planning Commission meeting, a second radio frequency expert, Richard Tannehill, was contracted to review the application. Mr. Tannehill has previously provided independent consulting to the City of Cottonwood in reviewing the cell tower application at the VFW property. Mr. Tannehill concurs with the statements of the previous review and will be submitting a written report to be presented to Council on May 12 at the public hearing.

The cost of the outside consultants was paid by the applicant as required under Town Ordinance 364 adopted August 8, 2014.

## Outside Agency Review

Per a request from the Cottonwood Airport Authority, the applicant submitted a review request to the Federal Aviation Administration and received a "Determination of No Hazard to Air Navigation" for the proposed wireless facility.

Morgan Scott of the Cottonwood Airport Authority has requested warning lights be installed on the tower. This is not a requirement per the FAA review, however, and it is staff's opinion lighting at the top of the tower would be a nuisance to the surrounding neighborhood. The subject property is approximately 1.3 miles from the western end of the Runway 14 at the Cottonwood Airport.

Yavapai County Flood Control noted the south property line is impacted by the North Fork of Mescal Gulch, however there are no issues or concerns for the location of the wireless facility.

The Clarkdale Fire Chief provided comments stating there is no basis to object to the application, however, the district would like to see a secondary access to the property for public safety reasons.

## Public participation

The applicant hosted a neighborhood meeting on Tuesday, February 17, 2015. A summary of this meeting, provided via email by the applicant's representative, follows:

Our neighborhood meeting at 4:00 also went well. About 30 people attended. About 10 of them were quite vocal and asked a lot of questions. Following the meeting we had about a dozen neighbors come up to tell us they supported the site, and apologized for some of their more vocal neighbors.

Notices of the Planning Commission and Town Council public hearings were mailed to 108 property owners within 1,000 feet of the subject property. Per state statute, the Town is required to notify property owners within 300 feet. The Community Development Department policy is to extend the notification distance to 1,000 feet for all public hearing items.



# Staff Report

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Two legal notices of the Planning Commission public hearing were published in the Verde Independent on February 15 and March 1, 2015.

A legal notice for the Town Council public hearing was published in the Verde Independent on April 26, 2015.

The property was posted for each public hearing.

## **Town Regulations**

The Town's wireless communication facilities regulations, Ordinance #352, became effective August 9, 2013. This ordinance allows wireless facilities in commercial and industrial districts as a conditional use. The maximum allowable height for a cell tower in a commercial district is 65 feet. The purpose of having conditional uses in the Zoning Code is to allow for a process through which the proposed use is examined to determine its impact at a specific location.

## **Planning Commission**

Per Section 5-5 of the Town Zoning Code, the Planning Commission shall make findings on a conditional use permit application based on the following six elements:

1. **Applicable Regulations:** Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statute, and any ordinance or policies that may be applicable.
2. **Bulk Regulations:** The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
3. **Performance:** That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience of persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general in that the facility, once completed should not interfere with the day-to-day operations of the existing businesses.
4. **Traffic Impacts:** The provisions for ingress and egress, public streets and traffic circulation are adequate, or can be upgraded through street improvements as a condition of approval.
5. **Landscaping:** Landscaping and/or fencing of the proposed development assures that the site development will be compatible with adjoining areas and with the intent of Town policies.



# Staff Report

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6. **Nuisance:** That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibrations, signage or illumination.

## **Staff Analysis:**

**Applicable Regulations** – Zoning Ordinance: Ordinance #352, Wireless Communication Facilities, became effective August 9, 2013. This ordinance allows cell towers up to a maximum of 65 feet in height in the Commercial Zoning District with a conditional use permit. The ordinance includes a list of nine items required to be included in the conditional use permit application. The applicant has provided all nine of these items.

The Town's Wireless Ordinance does not permit placement of cell towers in the 89A Overlay District. This previously established overlay district extends 500 feet on either side of the center line of the highway and identifies an important viewshed along the highway corridor. This prohibition leaves only a few properties in the area meeting the applicant's siting requirements. All of these potential properties abut property zoned for residential development.

The Federal Communications Commission oversees the regulations for wireless service facilities. Section 332(c) (7) of the Communications Act prohibits local governments from discriminating among providers and from prohibiting the provision of personal wireless services.

Until the Town adopted the Wireless Facilities Ordinance in 2013 the Town was not in compliance with this section because wireless facilities were not included as a use in any of the zoning districts.

Staff found no specific references to wireless facilities in the 2012 Clarkdale General Plan.

**Bulk Regulations** – The 1.18-acre site is adequate to accommodate the proposed use. The wireless facility would not conflict with the various surrounding commercial uses.

**Performance – Visibility:** The Planning Commission conducted a site visit to the subject property on February 17, 2015. The applicant had placed a balloon on the site. The top of the displayed balloon was at 65 feet. The 12-foot width of the balloon demonstrated the width of the proposed array at the top of the cell tower.

During the site visit, the top of the balloon appeared as high as the top of the Mogollon Rim in the distance from the properties to the south along Cholla Lane. Along the SR 89A Highway, the balloon was noticeable against the background of the existing vegetation and was higher than the flag pole at the property in front of the site. The balloon appeared visible to the residences along Deborah Drive, particularly the two properties at the south end of Deborah Drive in the Foothills Terrace subdivision which are less than 300 feet away from the proposed site. The balloon did



# Staff Report

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not appear visible from the rest of this subdivision. The balloon was also visible from homes in the Mescal Spur neighborhood, specifically those along Cholla Lane. These homes were constructed in the late 1990's and the 2000's.

The homes along Deborah Drive abut commercially zoned property. These homes were constructed in the 1990's. The commercial corridor along SR 89A, including the subject property, has been zoned commercial since adoption of the first Town of Clarkdale zoning map in 1973, prior to construction of the surrounding homes. The maximum height allowance for buildings in the commercial zoning district is 50 feet.

The Town of Clarkdale Zoning Code does not include protection of individual views other than within the 89A Overlay District. Recognition of the 89A view corridor was established by adoption of the Overlay District in 2006.

In order to mitigate visual impact of the cell tower, the applicant has proposed to paint the tower a beige color to blend into the view.

The applicant will also provide examples of possible stealth towers at the May 12 Council meeting.

Staff has discussed with the applicant the possibility of planting landscaping along the boundaries of the subject property to provide screening of the proposed complex. The subject property is edged by native landscaping providing natural screening of the area. The eastern border of the storage facility located on the other side of the town right-of-way has an existing 10-foot wide landscape barrier. Any additional landscaping would require extension of water service to the property and installation of an irrigation system. If the Council chooses to approve the conditional use permit application, **staff would like direction from Council regarding requiring additional landscaping on the site.**

**Performance – Impact on public health, safety, welfare:** Per the FCC, the radio frequency emissions of the proposed tower will be no more than 0.035 percent of the Commission's maximum permissible exposure.

Section 332(c) (7) of the Communications Act preempts local zoning decisions based directly or indirectly on the environmental effects of radio frequency (RF) emissions from a cell tower. Staff will therefore not address this issue in this report.

No hazardous materials will be stored on site creating a hazard from explosion, contamination or fire. If the conditional use permit receives approval, a building permit for the facility will be required. The cell tower must meet Electronic Industries Alliance/Telecommunication Industries



# Staff Report

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Association standards. The building permit will be forward to Yavapai County Flood Control for review and approval.

The noise generated by the facility will be minimal and comparable to the noise generated by a typical single-family residence. (See attached email from the applicant's engineer). Traffic to the facility once construction is complete will also be minimal. In staff's opinion, the proposed facility will be no more of a nuisance than other various commercial uses permitted by right in the commercial zoning district.

The applicant is proposing a 6-foot high chain link fence to surround the complex. Staff has suggested the bottom half of the fence should be a solid material to prevent entrance of pack rats and other destructive vermin.

The Clarkdale Police Department has requested the applicant grant an easement on the tower for the installation of public safety communication repeaters. This request would increase public safety by providing redundancy for the public safety dispatch system. These repeaters are encompassed in a whip antennae which extends approximately 2 feet from the top of the tower.

Since installation of the requested public safety repeater antennae would exceed the 65-foot maximum height allowance for a cell tower structure, staff would need to take a request forward to the Board of Adjustment for a variance of the height requirement should the conditional use permit application be approved.



**Performance – Traffic:** During agency review of the application it was noted there is only one legal access to the subject property and the surrounding businesses. This is considered a safety concern for the properties in general, both for evacuation purposes in an emergency and access by public safety personal in case the SR 89A access is blocked. Staff has included a recommended condition of approval requiring the applicant complete a road connection to Old Jerome Highway.

**Property Values –** During the Planning Commission public hearing several residents stated installation of the tower would decrease their property values. Staff has researched this issue and found opinions differ on whether a cell tower in vicinity of homes negatively impacts property values or whether the availability of good cell service positively impacts property values. The applicant, Capital Telecom, will be presenting information to the Council regarding existing cell towers in the Verde Valley. Staff has researched property values for property within 500 feet of these established facilities and has found no evidence of a decrease in the property evaluation as



# Staff Report

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set by the Yavapai County Assessor. Per the Town Attorney, loss of property value must be substantiated on a case by case basis.

**Summary:** In staff's opinion, and with the recommended conditions, the application is in compliance with the required findings for a Conditional Use Permit.

## **Approval Process for Wireless Facilities**

Per the Telecommunications Act of 1996 the Federal Communication Commission has the final authority for approval of all wireless communication facilities. One of the initial steps required by the FCC is an environmental assessment, which as previously noted has been completed by the applicant. The second step is the zoning entitlement process.

The FCC has already issued the radio station authorization to Verizon Wireless for Northern Arizona.

## **Planning Commission Public Hearing**

In the staff report to the Planning Commission, staff stated it has determined the Conditional Use Permit application to be complete and in compliance with the requirements of Section 4-18 of the Town of Clarkdale Zoning Code.

Approximately 40 people attended the Planning Commission public hearing on March 17, 2015. Sixteen people spoke in opposition to the application, citing negative impacts to health, views and property values and two people spoke in support citing the need for better wireless coverage. In addition, staff read into the record two letters submitted in opposition to the proposal and one email submitted in support of the proposal.

At the meeting, Ms. Karen Daniels submitted 231 signatures of residents within one mile of the subject property expressing opposition to cell towers within one mile of their homes. A second petition, containing 123 signatures of residents throughout the Verde Valley obtained at Nate's Cowboy Café in opposition to placement of a cell tower in close proximity to the restaurant was also submitted.

## **Planning Commission Action:**

At their March 17 meeting, having found the application to be in conformance with the regulations for a conditional use permit, the Commission voted unanimously (4-0) to move the application forward for review by Town Council with a recommendation of approval based on the following conditions:

1. A building permit shall be issued prior to construction of the facility.



# Staff Report

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2. No lighting, other than the motion sensor emergency lighting described in the staff report shall be installed.
3. All components of the facility shall be removed at the expense of the applicant/property owner if the facility is decommissioned and not used for 180 consecutive days.
4. Any substantial change to the project dimensions by more than 10 percent of the design of the facility as approved will require an additional Conditional Use Permit application.
5. The applicant will grant an easement to public safety entities for placement of repeaters on the tower to enhance communications. The applicant, at their expense, will prewire the proposed cell tower for ease of future installation of these repeaters. Design and installations shall be coordinated with a vendor designated by the Clarkdale Police Department.
6. The applicant will participate in facilitating broadband infrastructure development in the Verde Valley as opportunity arises.
7. The applicant shall improve the Town right-of-way along the western boundary of the subject property including engineering, design and installation of a finished road to connect to Old Jerome Highway.

## **Protest Provision**

After the Planning Commission action, Ms. Karen Daniels of 1565 N. Cholla submitted a written protest including signatures of forty-two percent of the property owners within 200 feet of the subject property. Per Section 5-3.A.4 of the Zoning Code, a three-fourths majority of the Council shall be required to approve this conditional use permit application.

## **Complaints**

Subsequent to the Planning Commission public hearing, staff received a complaint relative to illegal grading without a permit and disbursement of possible hazardous materials (asphalt millings) during the illegal grading. This complaint is being handled by the standard procedure through the Community Development Department.

A similar complaint had previously been made to the Federal Communications Commission as part of the public comment period for the required environmental assessment for this project. Per an email from a FCC representative dated March 10, 2015:



# Staff Report

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“A review of this application, including the request for further environmental review, as supplemented, and responses, does not indicate that the proposed structure may have a significant effect on the environment under the Commissions’ rules”.

## **Time Constraints**

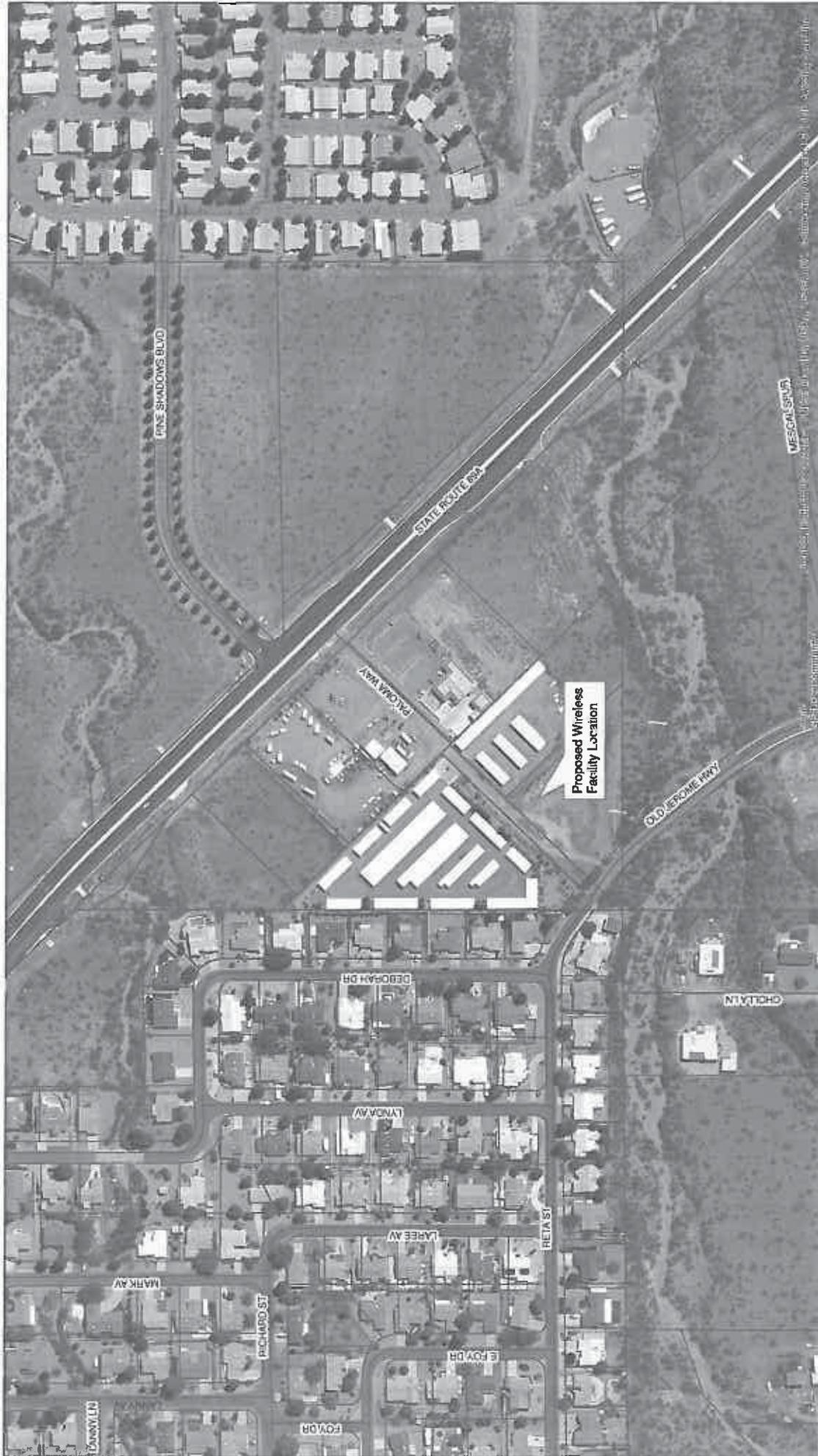
In 2010 the Federal Communications Commission issued an administrative ruling supplemental to the 1996 Telecommunications Act establishing a 150 day time period for local governments to make a decision on new wireless facilities. The Capital Telecom wireless facility conditional use permit from Capital Telecom was determined to be complete on February 2, 2015. This is when the check for the application fee was received. According to FCC regulations, the Town has until July 2, 2015 to act on the application. A failure to provide a decision on the application within this ‘shot clock’ time frame allows the applicant to bring legal action against the Town to demand a decision.

## **Recommendations** Council may:

- Direct staff and/or the applicant to provide additional, specific information and postpone this item to a later date for consideration of action
- Approve the conditional use permit request
- Approve the conditional use permit request with conditions as recommended by the Planning Commission
- Approve the conditional use permit request with modified conditions
- Deny the conditional use permit request based on specific findings

### Attachments:

1. Aerial Map of Site
2. Applicant’s Purpose of Application letter
3. Coverage Maps
4. Site Plan
5. Public safety antennae specifications
6. Applicant’s noise impact analysis



Proposed Wireless Facility Location

**The Town of Clarkdale**  
 Community Development Department  
 P.O. Box 308/800 Main Street,  
 Clarkdale, AZ 86324  
 (928) 639-2550

**Capital Telecomm  
 Wireless Facility Proposal  
 January 2015**

This map has been provided for informational purposes only and is not necessarily engineering accuracy. Every effort has been made to ensure this map is as accurate as possible. The Town of Clarkdale shall assume no liability for the information contained on this map.

### **Purpose of Application**

As part of its ongoing effort to maintain the pre-eminent wireless network in Yavapai County, Verizon Wireless is proposing to collocate on a proposed wireless telecommunications facility at a storage facility just southwest of Highway 89A on the south side of town. The main objectives of this site are to improve in-building coverage and greatly improve capacity in the south half of Clarkdale. There is currently coverage in most buildings, but the capacity the signal can support is not acceptable, and the network is not operating effectively.

Verizon has been receiving complaints of poor call quality, dropped calls, and poor data speed from residents and businesses in this area for years and has been working to place a site in this area for several years. This proposed new wireless facility will help businesses, travelers and the residents in this area while being placed on commercial property well outside of the Historic District. A map showing the coverage this site will offer is included in the application.

### **Site History**

Verizon Wireless has been working to improve coverage in this area for several years. The capacity of the sites covering this end of the Verde Valley (AZ2 Cottonwood-Jerome & AZ2 Mingus) has been lagging behind demand needs for some time. Despite efforts to upgrade both the existing sites which service this area of Clarkdale with the latest technologies and backhaul capacity, the sites are overloaded with traffic. Several years ago, Verizon started looking into placing a site at the Fire Station adjacent to the Historic District. Due to space constraints, this site never came to be, and that proposed site was abandoned. A stop-gap measure was employed by Verizon re-aiming one sector of the site in Jerome (AZ2 CottonwoodJerome) so that it could add additional coverage in Clarkdale – that stop-gap didn't solve the coverage and capacity problems. Verizon then worked with the Town on developing a Wireless ordinance and proposed a site at the mini-storage facility near the Historic District. Due to feedback in the environmental and regulatory review process that site was abandoned too. This proposed collocation at a different mini-storage facility is designed to help handle capacity issues caused by huge local demand for wireless services.

Some time ago Verizon's engineer determined that its network overload in the area was caused by enormous demand for wireless services in this area. This area is currently served by wireless sites outside of the area attempting to project into the area to provide coverage - this is not an effective solution. The proposed site will provide coverage and capacity from within the area, and be much more effective in handling the huge local demand for wireless services. We've considered several candidates for this site. The only existing co-locatable structure in the area was an APS pole, but that pole was located within the Highway 89A scenic corridor. We considered placing the site at Mold-in-Graphics, but they were not interested in leasing to us. We investigated building the site at the cemetery, but there was not a workable location at the cemetery. Thus, the remaining viable candidate for the site is this mini-storage location.

### **Planned Community Outreach**

Verizon and Capital Telecom appreciate the need for community outreach with this application. Capital has taken several steps, and will continue to take steps, to reach out to and engage the community. On November 19 and 21, 2014, Capital Telecom published in the Verde Independent/Bugle a public notice of its intent to build the wireless facility, and invited interested people to contact Capital's representatives in Tempe, Arizona. Since that time Capital has been engaged in an ongoing dialogue with the one interested neighbor who expressed concern. Capital and its local representatives have actively addressed her questions, provided her information, and responded with modifications to the proposed wireless site design to address her stated concerns. For example, in response to that one neighbor's requests, the site has changed from a mono-pine design to a mono-pole design. In addition, Capital has shifted the wireless site somewhat to the west in response to her request.

**Christopher J. Schroeder**  
**Director of Site Development**  
**1500 Mt Kemble Ave**  
**Suite 203**  
**Morristown, NJ 07960**  
**Desk: 973-425-0606 ext.111**  
**Mobile: 631-374-4133**  
**[cschroeder@capitaltelecom.com](mailto:cschroeder@capitaltelecom.com)**

*Richard L. Tannehill, P.E., & Associates*  
*Communications Consulting Engineers*

May 1, 2015

Ms. Beth Escobar  
Sr. Planner  
City of Clarkdale, AZ  
P.O. Box 308  
Clarkdale, AZ 86324

RE: Analysis of Capital Telecom Application for Tower Site in Clarkdale

**BACKGROUND:**

Capital Telecom has submitted an application to build a cell-site including a 65' tower at a storage locker location known as "Lamplighter" in south Clarkdale. This site will be initially used by Verizon to enhance cellular and high-speed data coverage in the south-central part of Clarkdale. Capital Telecom has indicated that a second user will probably apply to also use the tower at this site at a later date. The proposed site does not resolve coverage issues on the far north end of Clarkdale however, and another application for another site should be anticipated in the future.

Coverage from current sites have two problems. (1) The sites in Cottonwood do not provide much coverage of Clarkdale since line-of-sight and proximity are important at the UHF frequencies involved in cellular systems. The site on Mingus Mountain, at about 7-10 miles distant has some coverage, but not enough to penetrate buildings. Verizon considers a signal level of about -80 dBm (decibels relative to 1 milliwatt) or 60 dBu at 1900 MHz, to be the minimum necessary signal for adequate building penetration. (Note: Building walls typically attenuate radio frequency signals by 10-30 decibels) These problems were demonstrated in a coverage plot by Capital Telecom, and confirmed by propagation plots I made. (Figures 1 & 2) And (2) The larger problem from Mingus' wide area coverage from the Mingus Mountain site does not allow for reuse of channels over a small area. This creates a channel traffic congestion issue when the number of users gets too large. Verizon presented evidence that their traffic often is so high as to cause a large percentage "denial of service" over a 30 day period. They define this as >80% capacity usage of their Mingus site, resulting in data throughputs of less than 5 Mbs for the user. (Chart 1) This problem can only be resolved by using multiple lower-elevation local sites at 1-2 mile intervals.

Several alternative sites were explored with varying degrees of success, availability, or utility. I have tried to explore the alternative sites within the constraints of the information available to me, and the ability of my own propagation software to simulate Capital Telecom's results.

## **STUDY:**

Capital Telecom, at the City's request, explored several other potential sites for availability and coverage.

### **A. Cemetery**

My plots at a middle point of the cemetery indicate nearly the same coverage as from the Lamplighter site. A Capital plot shows a little less coverage in the south. However, Capital and Verizon state that no suitable site location at the cemetery could be found. (Figures 3&4)

### **B. Cement Plant**

The cement plant is in an industrial zone, and does allow for higher towers. However, this could defeat the purpose of having smaller cells as discussed under "BACKGROUND". Coverage at 65' from the cement plant covers a swath through the middle of town, but is very deficient in both the north and south parts of town. It is definitely inferior to the Lamplighter site in coverage at 65'. No coverage plot was run from 200' since Capital has not indicated that this was an option to them or their customer - Verizon. (Figures 5&6)

### **C. Botanical Garden**

The Botanical Garden site had poor coverage on both my plot, and Capital Telecom's plot at the south end of Town. The availability and sufficiency of a site location is unknown. (Figures 7&8)

### **D. Mini-Storage (Lamplighter)**

This is the preferred site by Capital Telecom and Verizon. It meets the -80 dBm (60 dBu) signal requirement at 65' height throughout most of the south and central parts of Clarkdale, but does little for the north end of town. Coverage in the north will remain as it is currently from Mingus, until another new site in the north part of town is constructed. (Figures 9&10) (Note: None of the other sites proposed so far provide adequate coverage in the north) Capital and Verizon submitted an engineering study by Waterford Engineering showing that the RF (Radio Frequency) emissions from the site will meet the FCC standards for RF exposure in an uncontrolled environment. So there does not appear to be any RF exposure safety issue involved at this site.

## **VISUAL IMPACT:**

No attempt was made to determine visual impact as I am not familiar with the location or the local terrain. Lamplighter appears to be more than 500' from the Highway 89A corridor which means it meets the Town's requirements. Few towers at this height are disguised as pine trees or anything else, unless they are on building roofs or in church steeples or belltowers.

**SUMMARY:**

Of the various sites presented, the "Lamplighter" site appears to be the best overall of the four sites analyzed, having sufficient space for the site, and providing coverage to the south and central parts of Clarkdale at the required -80 dBm level from a 65' tower. It is not known if a second user 10' lower on the tower would have the same degree of coverage however. It is unlikely that anything lower than 55' would be of much use to another carrier, who would probably request to construct their own tower. Visual impact is unknown but the location meet's the City's location and zoning requirements.

Sincerely,

*Richard L. Tannehill*

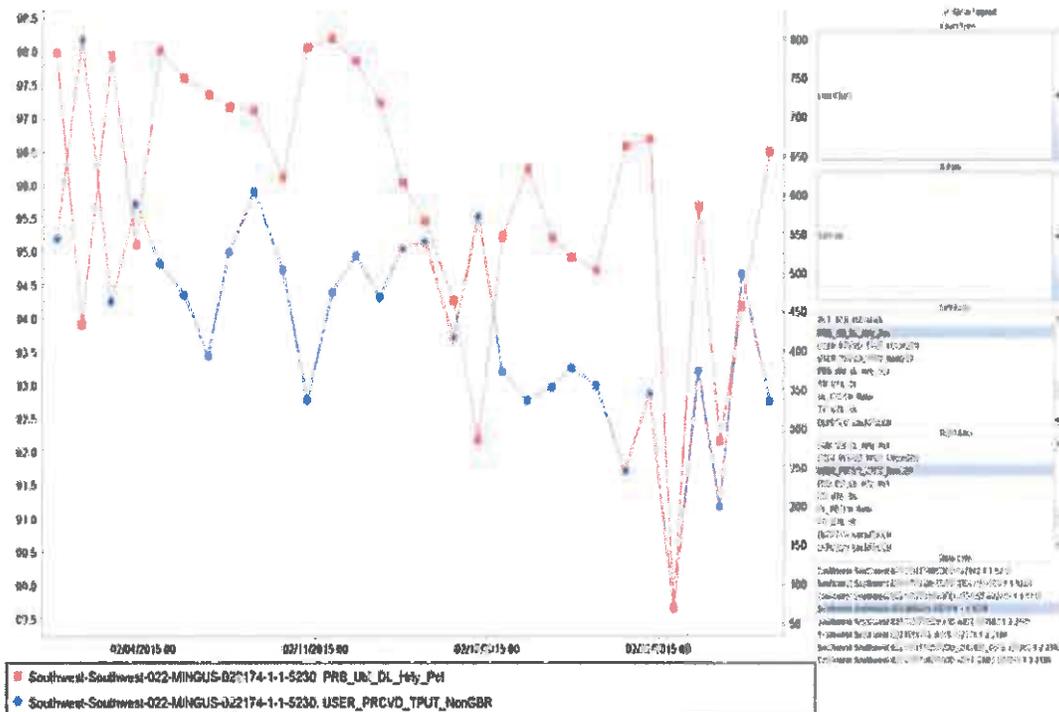
---

Richard L. Tannehill, P.E.  
RL Tannehill, P.E. & Assoc.



# CHART 1

A22 Mingus – Alpha Sector – 30 Day Busy Hour Snap Shot: Physical Resource Block Utilization (Target<80%) & User Perceived Throughput (Target>5 Mbps)





# MINGUS 1900 COV. OF CLARKDALE (OK)

34-47'-00" N / 112-07'-8.6" W; 7800' ELV; 60' ANT HT; 1000W ERP

SCALE: 1" = 1.67 MI

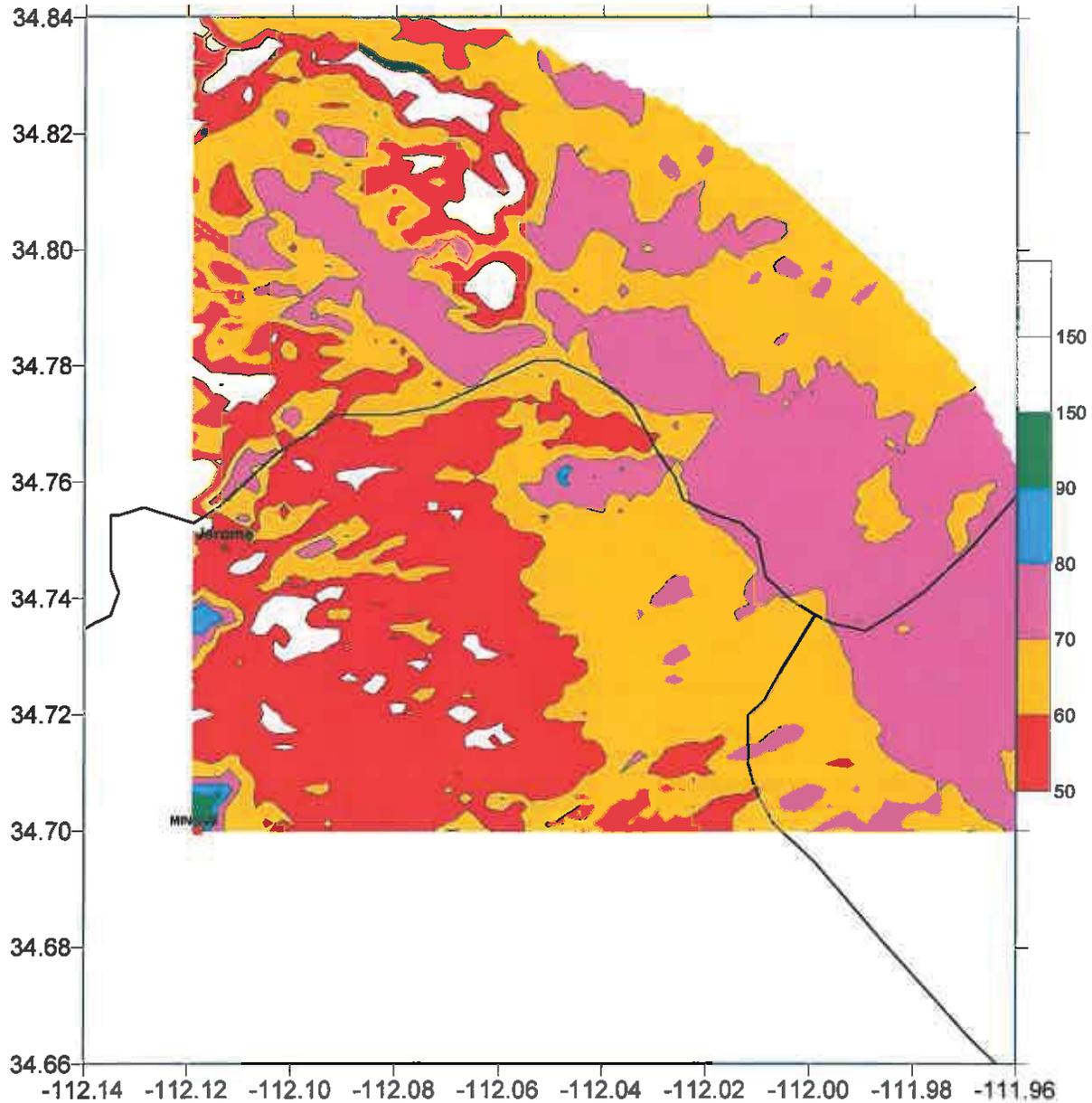


Figure 2

INDOOR  
signal strength  
prediction from  
on air sites -  
cemetery

site type  
● inactive on map  
● active on map

INDOOR  
signal strength level

- 79 dBm
- 85 dBm
- 95 dBm
- 105 dBm

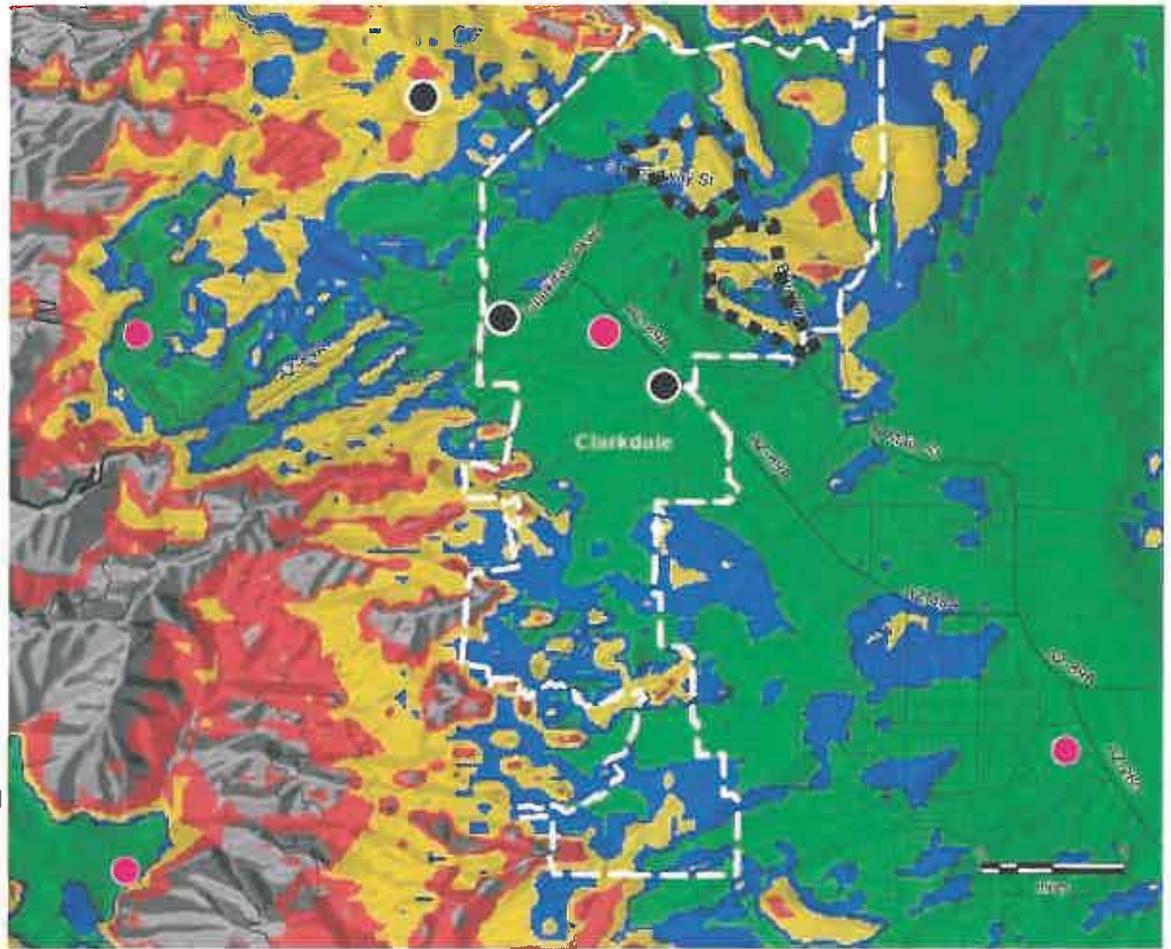


Figure 3

# CEMETERY 1900 COVERAGE (OK)

34-45'-23.5" N / 112-03'-39" W; 3680' ELV; 60' ANT HT; 1000W ERP

SCALE: 1" = 1.67 MI

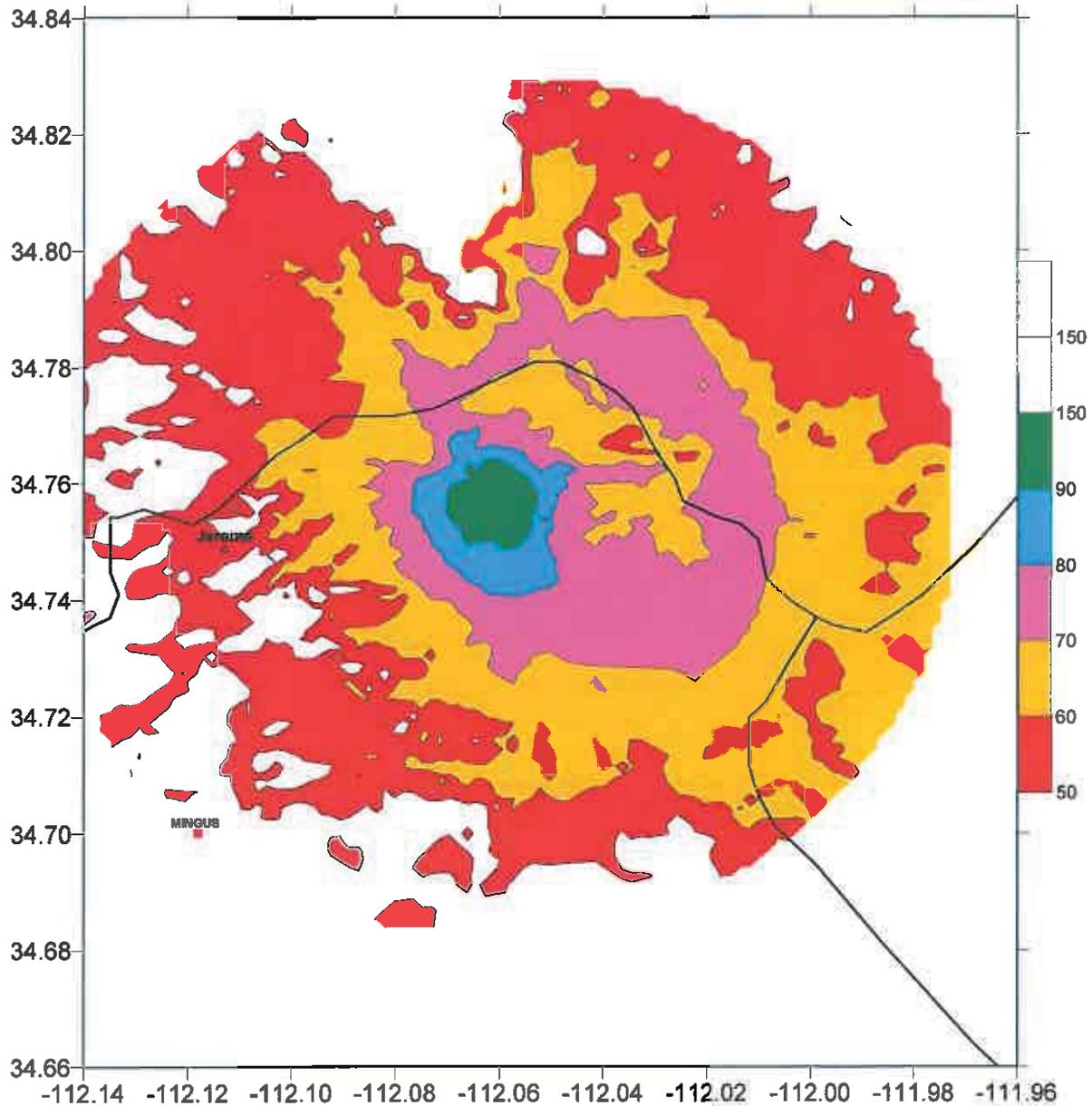


Figure 4

INDOOR  
signal strength  
prediction from  
on air sites –  
cement plant

site type  
● inactive on map  
● active on map

INDOOR  
signal strength level

- 79 dBm
- 85 dBm
- 95 dBm
- 105 dBm

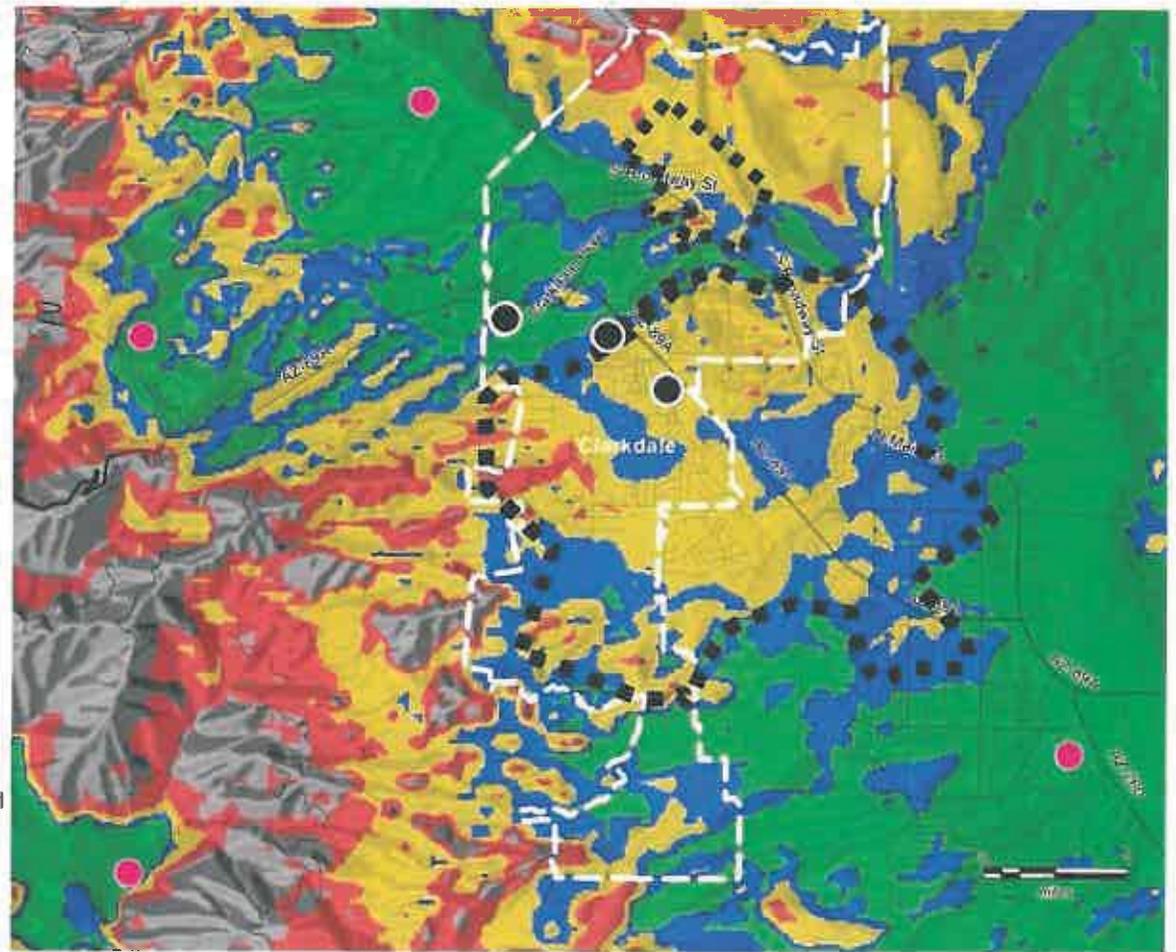


Figure 5

# CEMENT PLANT 1900 COV. (1900-OK)

34-46'-48.8" N / 112-5'-00" W; 3818' ELV'; 60' ANT HT; 1000W ERP

SCALE: 1" = 1.67 MI

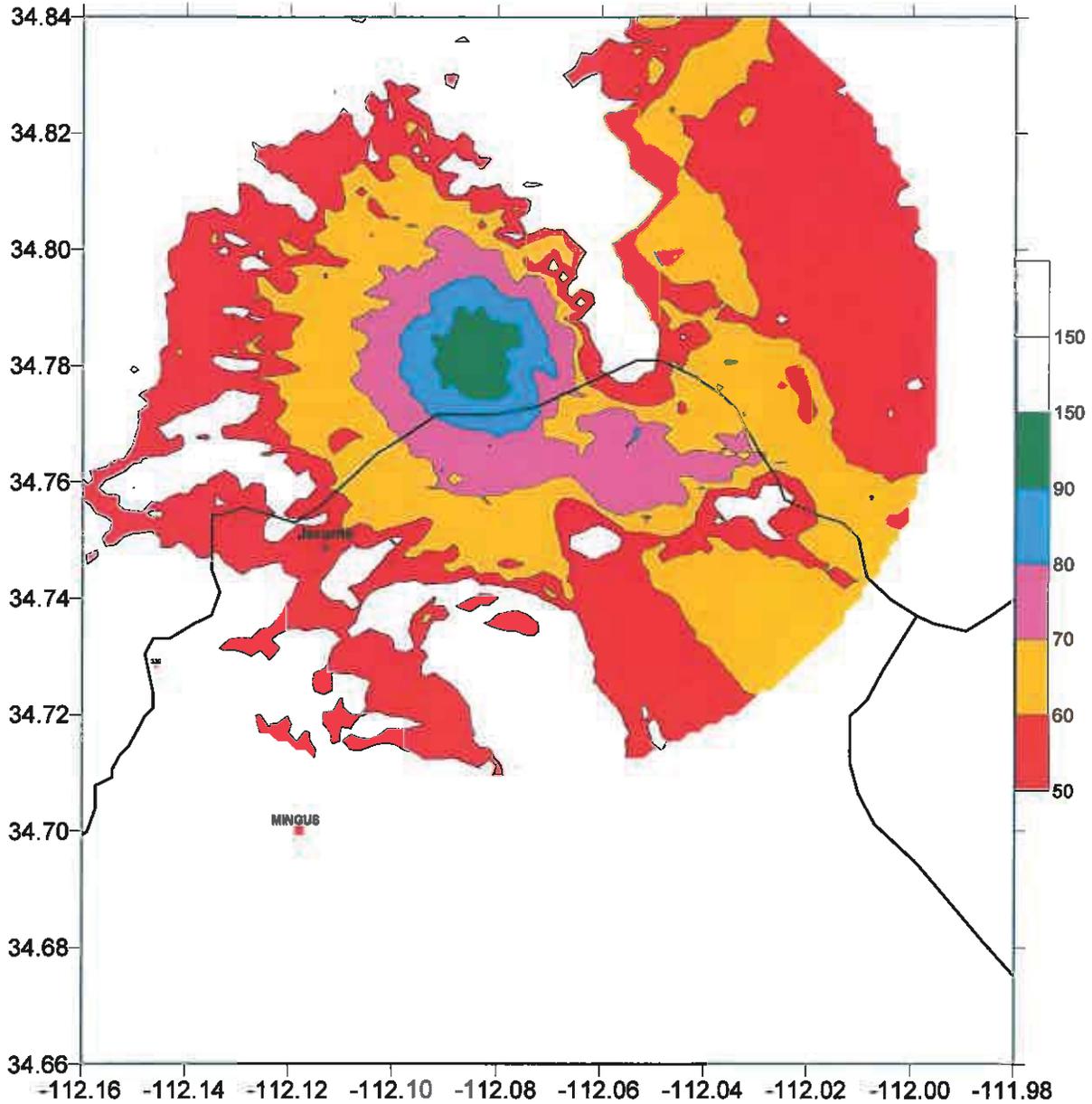


Figure 6

INDOOR  
signal strength  
prediction from  
on air sites -  
botanical garden

site type  
● inactive on map  
● active on map

INDOOR  
signal strength level

- 79 dBm
- 85 dBm
- 95 dBm
- 105 dBm

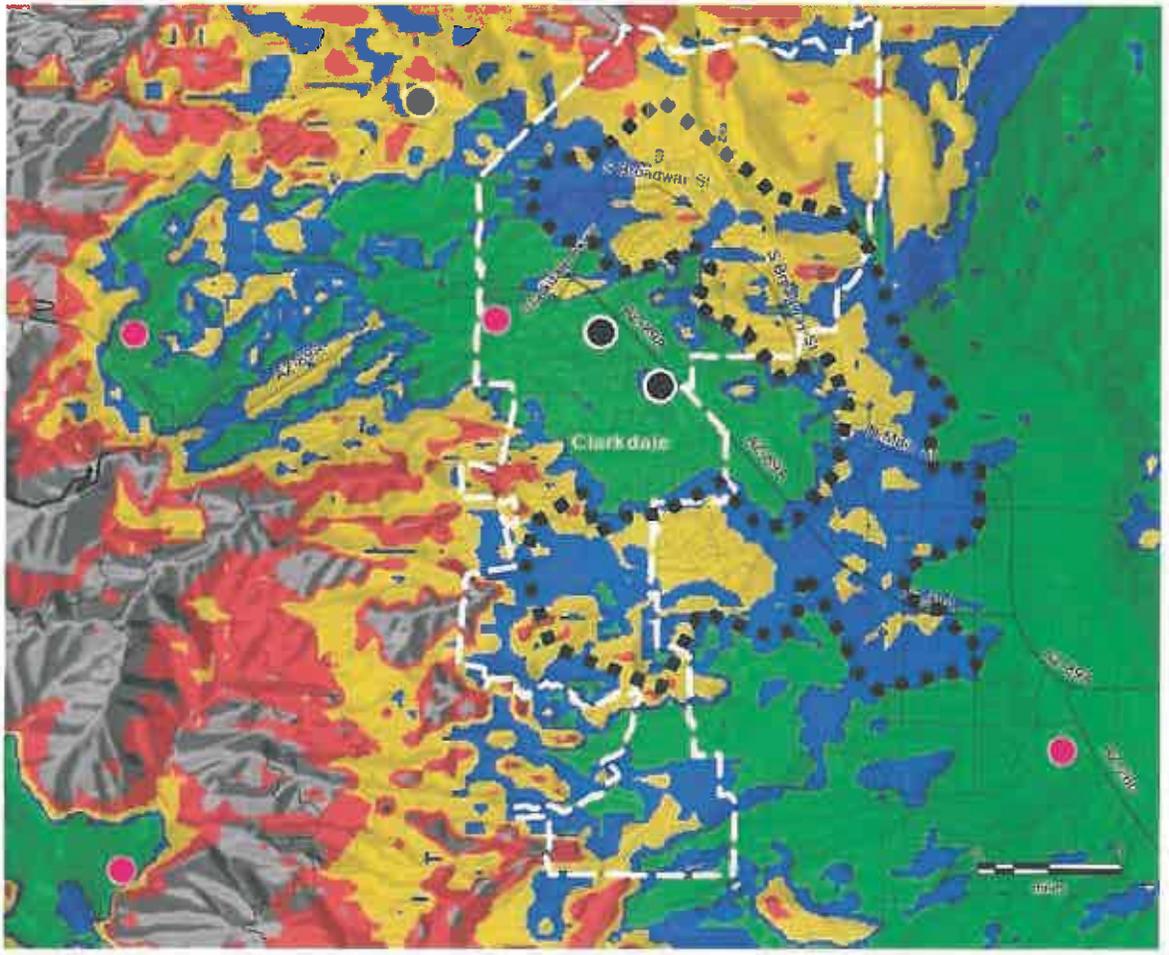


Figure 7

# BOTANICAL GARDEN 1900 COV. (OK)

34-45'-28.5" N / 112-4'-23.7" W; 3854' ELV; 60' ANT HT; 1000W ERP  
SCALE 1" = 1.67 MI

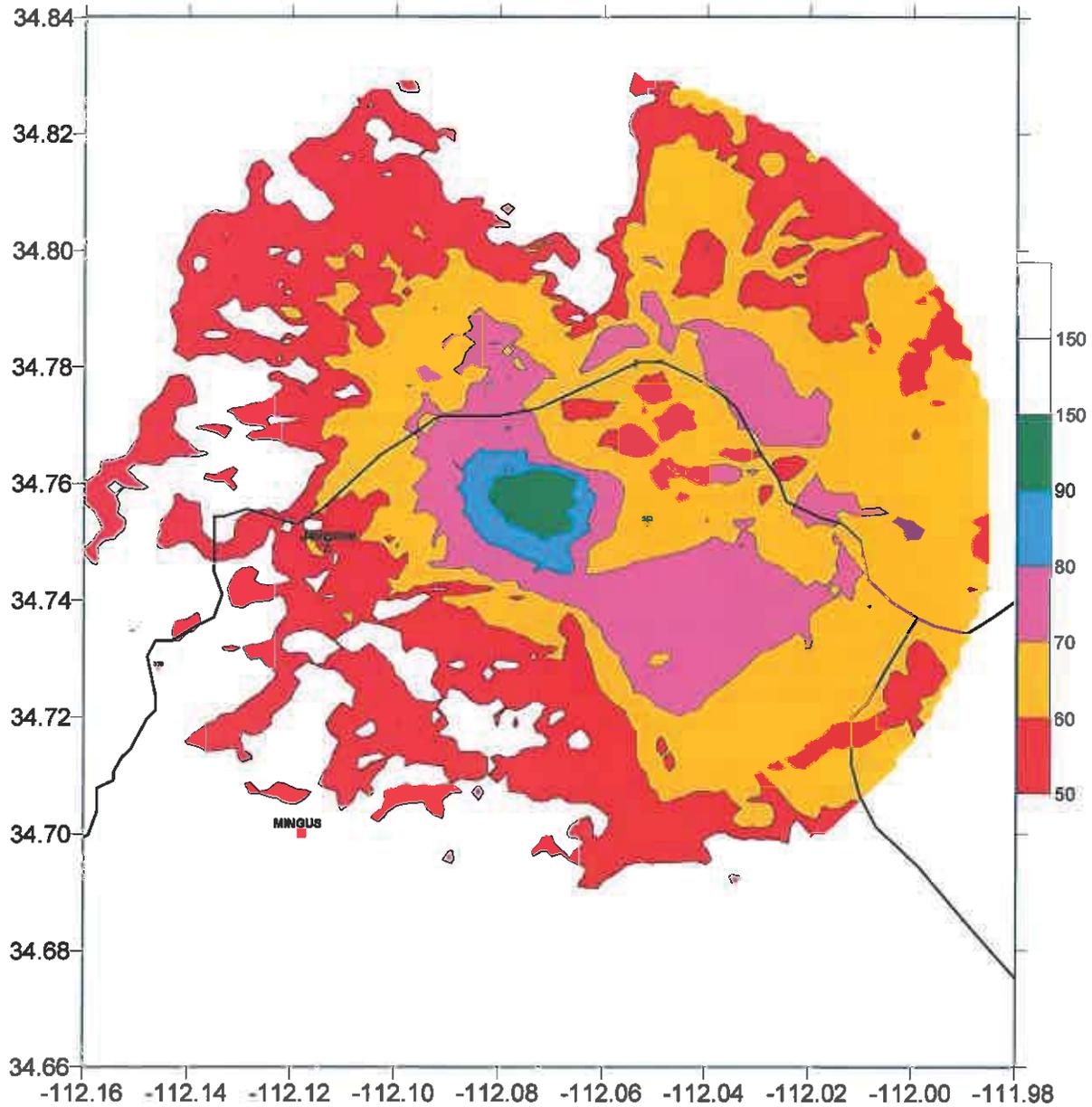


Figure 8

INDOOR  
signal strength  
prediction from  
on air sites -  
lampliter

site type  
● inactive on map  
● active on map

INDOOR  
signal strength level

Light Green	-79 dBm
Blue	-85 dBm
Yellow	-95 dBm
Red	-105 dBm

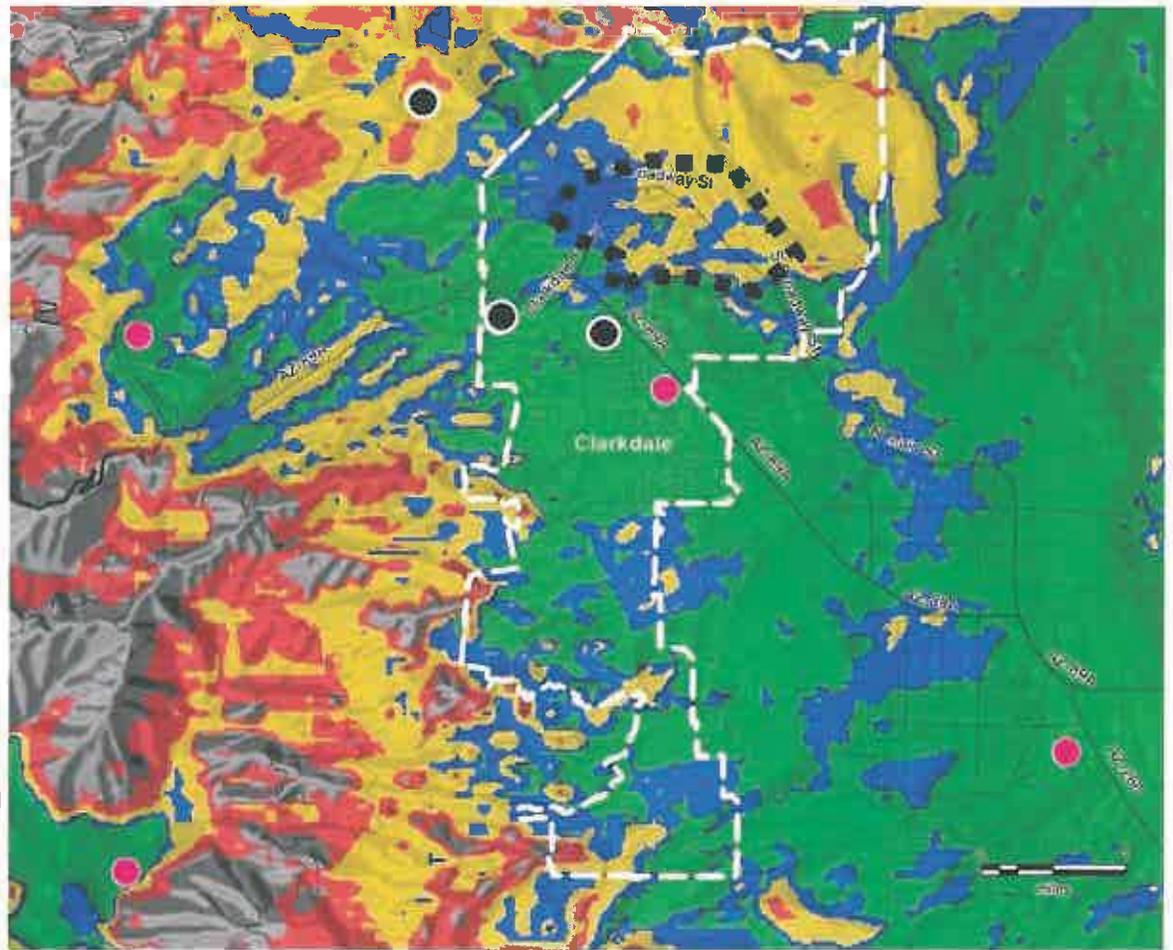


Figure 9

# CLARKDALE-LAMPLIGHTER (1900-OK)

34-4.5'-4.3" N / 112-3'-10.2" W; 62' ANT HT; 1000W ERP OMNI

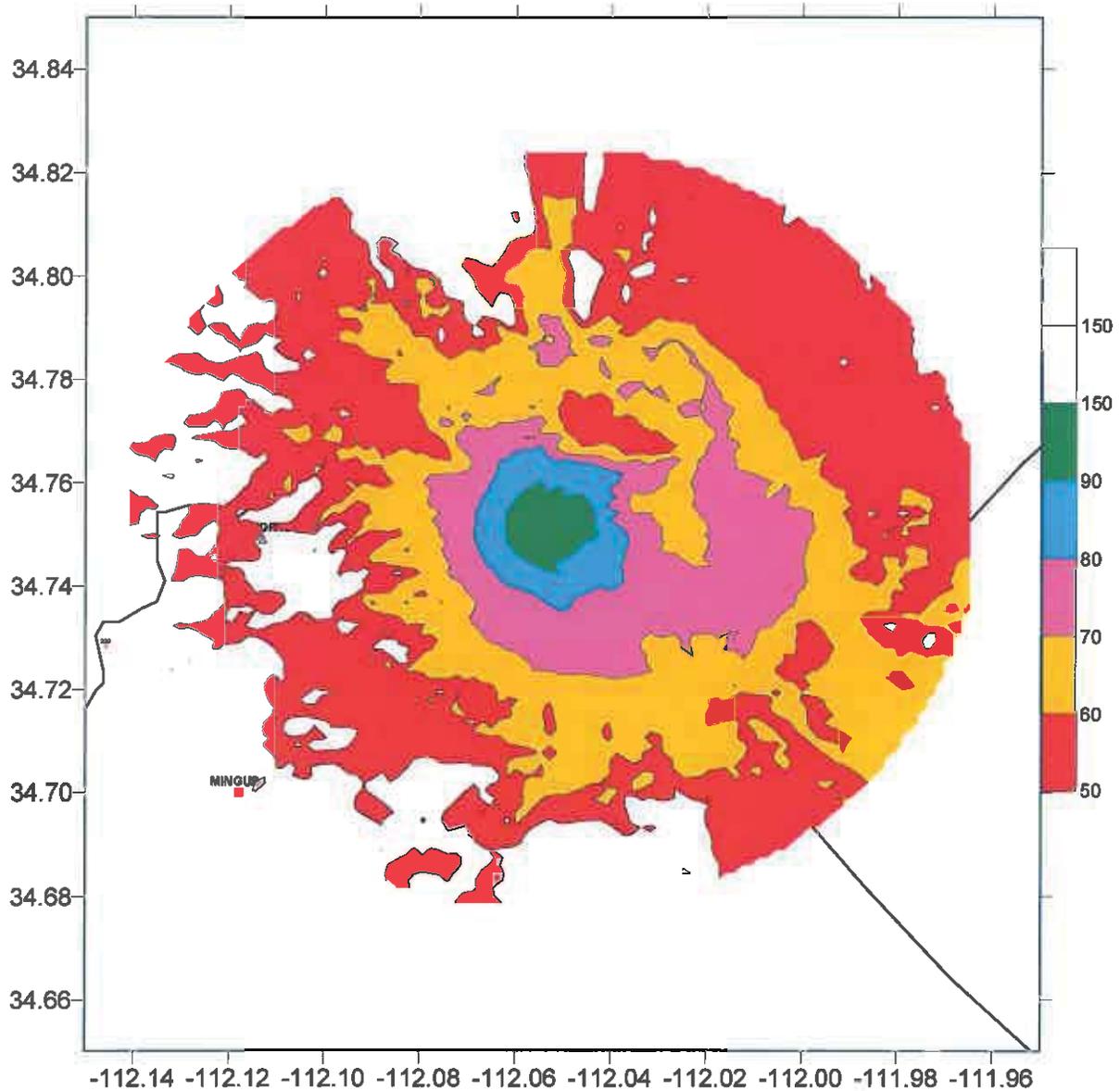


Figure 10

# Product Specifications

## ASPA685

Omni Antenna, 151–158 MHz, 360° horizontal beamwidth, fixed electrical tilt



- Extremely rugged, reliable design, light weight for low tower loading
- Ideal for corridor coverage applications
- Unique mounts allow vertical or horizontal polarization

## CHARACTERISTICS

### General Specifications

Antenna Type                      Omni  
Operating Frequency Band 151 – 158 MHz Electrical

### Specifications

Frequency Band, MHz	151–158
Beamwidth, Horizontal, degrees	360
Gain, dBd	5.3
Gain, dBi	7.4
Beamwidth, Vertical, degrees	15.0
Beam Tilt, degrees	0
VSWR   Return Loss, db	1.5:1   14.0
Input Power, maximum, watts	350
Polarization	Vertical
Impedance, ohms	50
Lightning Protection	dc Ground

800.949.7079 order online today at [www.talleycom.com](http://www.talleycom.com)



# Product Specifications

ASPA685

## Mechanical Specifications

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Color	White
Connector Interface	N Male
Connector Location	Bottom
Connector Quantity	1
Wind Loading, maximum	377.2 N @ 100 mph 84.8 lbf @ 100 mph
Wind Speed, maximum	231.7 km/h   144.0 mph

## Dimensions

---

Length	6400.8 mm   252.0 in
Outer Diameter	88.9 mm   3.5 in
Net Weight	9.8 kg   21.5 lb

## INCLUDED PRODUCTS

### **ASPR616**

Pipe Mounting Kit for 1.25 - 3.5 in (35 - 89.0 mm) OD round members

---

Beth Escobar

---

**From:** Chris Schroeder <CSchroeder@capitaltelecom.com>  
**Sent:** Friday, February 27, 2015 1:48 PM  
**To:** Greg Lake; Beth Escobar  
**Cc:** Jodie Filardo; Tom Waniewski  
**Subject:** RE: Clarkdale application

Beth – Good Afternoon,

In response to the below question:

The sound generated from the site will be minimal:

- The radio equipment housed inside the shelter emits the same noise as a personal computer. The equipment will be enclosed within shelter and will not be heard.
- The generator will produce about 70 decibels of sound, similar to a Vacuum cleaner. The generator is also enclosed within the shelter and would not be heard unless standing directly outside the shelter, similar to if ones neighbor was running a vacuum cleaner. The generator only runs during power outages and testing. It is tested for one hour per month.
- The HVAC units are 5-ton, same size as a residential HVAC unit and admits the same levels of noise.

Please let me know if you have any questions or require additional information.

Thank you,  
Chris

Christopher J. Schroeder  
Director of Site Development  
1500 Mt Kemble Ave  
Suite 203  
Morristown, NJ 07960  
Desk: 973-425-0606 ext.111  
**Mobile: 631-374-4133**  
**cschroeder@capitaltelecom.com**



---

**From:** Greg Lake [mailto:lake@lakeandcobb.com]  
**Sent:** Monday, February 23, 2015 11:42 AM  
**To:** 'Beth Escobar'  
**Cc:** Jodie Filardo; Chris Schroeder; Tom Waniewski  
**Subject:** RE: Clarkdale application

Beth – the noise generated by the equipment will be minimal. Chris, would you please respond to Beth with more detail. Thanks, Greg

J. Gregory Lake  
Lake & Cobb, PLC  
1095 West Rio Salado Parkway  
Suite 206  
Tempe, Arizona 85281  
(602) 523-3006 direct line  
(602) 523-3001 fax  
Certified Real Estate Specialist

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From: Beth Escobar [<mailto:Beth.Escobar@clarkdale.az.gov>]  
Sent: Monday, February 23, 2015 9:36 AM  
To: Greg Lake  
Cc: Jodie Filardo  
Subject: Clarkdale application

Hi Greg:

Someone has asked me how much noise the equipment at the site will generate. Could you have someone on your team provide a written answer to this question?

Thanks,

Beth Escobar, AICP  
Senior Planner  
Town of Clarkdale  
(928) 639-2500 FAX: (928) 639- 2519 [www.clarkdale.az.gov](http://www.clarkdale.az.gov)



Town of Clarkdale flickr page

The Town of Clarkdale is open Monday - Thursday from 8:00 AM - 5:30 PM and Friday from 8:00 AM - Noon

To ensure compliance with the Open Meeting Law, Council or Board/Commission members who are recipients of this message should not forward it to other members of the Council or Board/Commission of the Town of Clarkdale.

Council Members or Board/Commission Members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board Members.



# Town of Clarkdale

P.O. Box 308  
Clarkdale, AZ 86324  
(928) 639-2400 phone  
(928) 639-2409 fax

---

April 16, 2015

Members of the Clarkdale Town Council  
P.O. Box 308  
Clarkdale, AZ 86324

Re: Town Attorney's Advice on Factors for Consideration with Regard to Cell Tower  
Conditional Use Permit Application

Town Council Members:

Attached please find a letter from Town Attorney Robert S. Pecharich to Community Development Director Jodie Filardo articulating the issues that the Town Council can, and cannot, consider with regard to your deliberations on cell tower conditional use applications.

At your request, Town Attorney Pecharich has entered this letter into the public record at this time, which allows us to distribute it both to the Town Council and the general public.

Please keep in mind that the Town Attorney only provides legal advice to the Town Council. While citizens may have questions about the advice you've received in this letter, the Town Attorney will not engage in discussion or advice with individual citizens.

Town Attorney Pecharich plans to be in attendance at the May 14<sup>th</sup> Regular Council meeting when a Public Hearing and consideration for a request for a Conditional Use Permit for a cell tower located at 1450 SR 89A will be held. He will further articulate the information provided herein at that time.

Please let me know if you have any other questions.

  
Gayle Mabery  
Town Manager

**LAW OFFICES**  
**BOYLE, PECHARICH, CLINE, WHITTINGTON & STALLINGS, P.L.L.C.**

Robert S. Pecharich  
Barry B. Cline  
William R. Whittington  
John C. Stallings  
Donald C. Zavala, Jr.  
Hans N. Clugston

125 North Granite Street  
Prescott, Arizona 86301

Telephone: (928) 445-0122  
Facsimile: (928) 445-8021  
www.prescottlawoffices.com

Jonathan A. Millet  
G. Eugene Nelt  
Bryon M. Ackerman  
James P. Boyle, Jr. (1913-2003)  
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April 14, 2015

Jodie S. Filardo  
Director, Community Development Department  
Town of Clarkdale  
890 Main Street  
Post Office Box 308  
Clarkdale, Arizona 86324-0308

**Re: Wireless Cell Tower Conditional Use Permit Applications**

Dear Ms. Filardo:

As Town Attorney for the Town of Clarkdale, I think it would be helpful to the Town and the public to understand what factors the Town can, and cannot, consider regarding cell tower use permit applications, as set forth below:

For an application for a conditional use permit for a wireless cell tower, **substantial evidence** must support each reason for a decision to approve or deny a conditional use permit for a wireless cell tower.

Factors the Town of Clarkdale may consider include, but are not limited to:

- Whether the property is within a zoning designation that allows for a cell tower.
- Whether there is a need for better cell phone coverage to the citizens of the area.
- Whether applicant has reasonably investigated alternative locations.
- Whether there is a lack of other less intrusive sites.
- Whether applicant has met all of the conditions for a Conditional Use Permit as set forth in the Town Code.
- Whether the cell tower constitutes a nuisance. Under Arizona law, a nuisance must be substantial, intentional, and unreasonable under the circumstances; the Town Council may balance the utility and reasonableness of the conduct against harm to the affected neighborhood. The utility and harm to the effected neighborhood must be supported by substantial evidence.

- Whether there are aesthetic issues supported by substantial evidence.
- Whether there is a decrease in the property value of nearby properties, supported by substantial evidence. This would be measured by the difference between the market value before and after the construction of a cell tower. One example of substantial evidence would be appraisals by qualified appraisers, supported by appropriate comparable properties with the market value immediately before and immediately after the construction of a nearby cell tower.

Federal law preempts a municipality's zoning power on two issues:

- **Environmental.** Under Federal law, a decision may not be based, in any respect, on possible environmental or health effects of emissions if a cell tower complies with FCC regulations.
- **Significant Gap.** Under Federal law, a conditional use permit for wireless cell tower may not be denied under Federal law if it would actually or effectively prohibit the provision of wireless service. Under Federal law, a cell provider is entitled to close a significant gap in its own service coverage; the cell provider must show the site applied for is: (1) the least intrusive means; and, (2) alternative facilities or site locations are not feasible.

Therefore, the Council may request information on (1) the gap in service coverage; (2) whether the cell tower's design is the least intrusive means; and, (3) whether the applicant reasonably investigated alternative, feasible locations.

Without waiving confidentiality and the attorney-client privilege for legal advice provided to the Town of Clarkdale outside of this letter, this letter may be released to the public.

Sincerely,

BOYLE, PECHARICH, CLINE,  
WHIFFINGTON & STALLINGS, P.L.L.C.



Robert S. Pecharich  
Jonathan A. Millet