

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, September 22, 2015**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 22, 2015 at 3:00 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 3:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig

Vice Mayor Richard Dehnert

Councilmember Scott Buckley

Councilmember Bill Regner

Councilmember Curtiss Bohall

Town Staff:

Town Manager Gayle Mabery

Community Services Supervisor Dawn Norman

Administrative Assistant Joni Westcott

Senior Planner Beth Escobar

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.

Raymond Isaacs, Clarkdale resident – Recognized exemplary Clarkdale employees: Ron Ekholm #740, Clarkdale Police Department; Elpidio Rangel and Chris Livas (specifically for helping him with his pet).

Scott Buckley – Clarkdale resident – Clarkdale dump cleanup reminder – this Sunday, September 27th, meeting at 7 a.m.

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 – August, 2015
 - Capital Improvements Report – August, 2015
 - Magistrate Court Report – August, 2015
 - Water and Wastewater Report – August, 2015
 - Clarkdale Fire District Report and Mutual Aid Responses Report – August, 2015

Police Department Report – July and August, 2015
RICO Report – April 1, 2015 to June 30, 2015
NAIPTA Transit Report – August, 2015

- B. **Resolution Making Appointments To The Board Of Adjustment** – Approval of Resolution # 1501 amending Resolution # 1481, making appointments to the Board of Adjustment.
- C. **Resolution Making Appointments to the Design Review Board**– Approval of Resolution # 1502, amending Resolution # 1480 making appointments to the Design Review Board.
- D. **Resolution Making Appointments To The Planning Commission** – Approval of Resolution # 1503 amending Resolution # 1482 making appointments to the Planning Commission.
- E. **Resolution Making An Appointment To The Public Safety Personnel Retirement Board** – Approval of Resolution # 1504 amending Resolution # 1495, making an appointment to the Public Safety Personnel Retirement Board.
- F. **Governor’s Office of Highway Safety DUI/Impaired Driving Enforcement Grant** - Acceptance of non-match, Governor’s Office of Highway Safety federal grant totaling \$3,500 from 10-01-2015 to 09-30-2016.
- G. **Governor’s Office of Highway Safety STEP Enforcement Grant** - Acceptance of non-match, Governor’s Office of Highway Safety federal grant totaling \$3,500 from 10-01-2015 to 09-30-2016.
- H. **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 “Northern Arizona Blues Alliance”.
- I. **Special Event Liquor License** - Approval of a recommendation to the State Department of Liquor License and Control to approve a Fair/Festival Liquor License for Cottontucky LLC to participate in Clarktoberfest.
- J. **RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, AMENDING RESOLUTION #1497, SETTING FEES FOR THE TOWN OF CLARKDALE, BY CREATING NON PROFIT ORGANIZATION FACILITY USE FEES AND COMMUNITY DEVELOPMENT AND PUBLIC WORK INSPECTION FEES** - Approval of Resolution # 1505, a Resolution creating fees in the Town Fee Schedule.

Councilmember Regner pulled item A.

Councilmember Regner moved to accept Consent Agenda items A – J as presented. Vice Mayor Dehnert seconded the motion and the motion was passed unanimously.

Police Chief Randy Taylor explained the RICO Report that is additional to the report section this month and is now a required quarterly report. All RICO funds are administered through PANT.

Councilmember Regner moved to approve Consent Agenda Item A. Councilmember Buckley seconded the motion and the motion passed unanimously.

NEW BUSINESS

LIQUOR LICENSE APPLICATION – Discussion and consideration of a recommendation to the Arizona Department of Liquor License, for a Series 10 New Beer and Wine Store application from Sylvia Bourde, Charlotte Convenience, LLC, d/b/a Clarkdale Market located at 915 A Main St., Clarkdale, AZ.

Applicant: Sylvia Bourde, Charlotte Convenience, LLC d/b/a/ Clarkdale Market

Address: 915 A Main St., Clarkdale, AZ

Type of License: New Beer and Wine Store Application - Series 10

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

The application from Sylvia Bourde is requesting a new Series 10 beer and wine store liquor license in Clarkdale. The store is located at 915A Main St., Clarkdale, AZ.

A.R.S. 4-203.F

If a person other than those persons originally licensed acquires control over a license or licensee, the person shall file notice of the acquisition with the Director within 15 business days after such acquisition of control and a list of officers, directors or other persons on a form prescribed by the Director.....On receipt of a notice of an acquisition of control or pre-investigation, the Director shall forward the notice within 15 days to the local governing body of the city or town. The Local Governing Body of the city, town or county may protest the acquisition of control within sixty days based on the capability, reliability and qualification of the person acquiring control. If the Director does not receive any protests, the Director may protest the acquisition of control or approve the acquisition of control based on the capability, reliability and qualification of the person acquiring control.

To determine whether public convenience requires and the best interest of the community would be substantially served by issuing or transferring a license to a particular licensed or unlicensed location, the State Liquor Board and/or local governing authorities may apply criteria (as listed in the Arizona Administrative Code) as documented on the attached Town of Clarkdale Liquor License Application Review Form which has been completed by the Clerk's Department, Community Development Department, Police Department, Utility Department, Public Works Department and the Clarkdale Fire District.

Deputy Clerk Mary Ellen Dunn presented information on the application process and informed council there were no issues. Town Manager Mabery stated that sidewalk seating would be on a public sidewalk and therefore open containers would not be permitted in that area.

Councilmember Regner moved to approve a recommendation to the State Department of Liquor License and Control to approve the Series 10 Liquor License for Sylvia Bourde, Charlotte Convenience LLC, d/b/a the Clarkdale Market located at 915A Main St., Clarkdale, AZ. Councilmember Buckley seconded the motion. The motion carried unanimously.

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, NAMING THE TRAIL SYSTEM LOCATED IN THE BIG SPRINGS NATURAL AREA OF THE VERDE RIVER @ CLARKDALE – Discussion and consideration of Resolution # 1506 naming the trail system located in the Big Springs Natural Area of the Verde River @ Clarkdale.

On January 14, 2015, the Parks & Recreation Commission reviewed several names submitted for the trail system located at the Big Springs Natural Area. At that time, the Commission made a recommendation to Council to designate and name the trail loop as the Trail of Life, ensuring that an acknowledgement be given to the 6th Grade Class at Clarkdale-Jerome Elementary School for the name.

On February 10, 2015, the recommendation was brought forward to Council to consider and approve the name 'Trail of Life'. The Council was very supportive of requesting the Clarkdale-Jerome School 6th Grade Class to submit ideas for the name. There was concern with "Trail of Life" and how the name would be perceived without explanation. The thought was because the name submissions were made prior to receiving the history on the site that maybe if the class had that information along with the area name, the name submissions would be more in line with the area name. After discussion, it was decided to ask the class to re-submit 3 name choices to be considered by the Parks & Recreation Commission and Council.

The request was sent to the 6th Grade Class at Clarkdale-Jerome School. Mrs. Bustya's 6th Grade Class submitted the following name suggestions:

Cow Springs
Blooming Flower Trail
Verde Blue Trail
Crystal Spring Trail
Whispering Snake Trail
Hobo Spring Trail
Schoolhouse River Trail

The Little Spring Walk
The Historical River Trail
Tuzigoot's Retreat
Mesquite's Shadow

Mrs. Scott's class was not able to participate due to projects her class was already committed to.

On July 9, 2015, the Parks and Recreation Commission met and narrowed the list down to three names: Verde Blue Trail, Crystal Spring Trail, and Tuzigoot's Retreat. There was open discussion on each. The Commission agreed that Tuzigoot's Retreat may be confusing and could be perceived by the public that it is part of the Tuzigoot National Monument. The Commission continued to deliberate and concluded to Crystal Spring Trail.

The Parks and Recreation Commission would like to recommend to Council to name the trail system located in the Big Springs Natural Area the Crystal Spring Trail.

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

Mayor Von Gausig discussed the importance of the Spring Area and stated he likes the name selected by the students.

Councilmember Regner stated he preferred the name Big Spring Trail, however is appreciative of the process in using the students to select the name and supported their recommendation.

Vice Mayor Dehnert moved for the approval of Resolution #1506, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, NAMING THE TRAIL SYSTEM LOCATED IN THE BIG SPRINGS NATURAL AREA OF THE VERDE RIVER @ CLARKDALE, THE CRYSTAL SPRING TRAIL. Councilmember Buckley seconded the motion and the motion passed unanimously.

WORKSESSION REGARDING FORMATION OF A COMMUNITY SERVICES

COMMISSION – Discussion and direction to staff regarding actions and proposed changes required to create a new Community Services Commission.

By creating a Community Services Department in 2009, our organization began a consolidation of efforts and a focus on providing a variety of activities and services to the community as efficiently and creatively as possible. To now transition our existing Library Advisory Board and Parks & Recreation Commission to a single Community Services Commission is a pivotal step in that direction.

Town Code Section 17-1-5.A (Boards and Commissions; Powers and Duties) outlines “the functions of each board, committee or commission shall be determined by Council...”. In order to now provide framework for the new commission, this worksession is intended to review related Town Code sections and consider new Code text.

Existing Town Code Article 17-3:

Section 17-3-1 Establishment and Purpose of the Parks and Recreation Commission: The Parks and Recreation Committee shall serve at the appointment of the Town Council. It shall serve as the Clarkdale Parks and Recreation Commission:

- A. To assist, counsel and aid the Town Council in the purchase, sale, lease or other method of acquiring or disposing of lands, structures and facilities for use as parks or recreational centers. This would include the responsibility to consider land purchases, sales and donations, recommending construction of recreation centers, lease of Town owned buildings, (Clark Memorial Clubhouse, pool and ballparks) or property by others and future planning for park needs.
- B. To assist the Council in establishing general priorities, relating to park development and recreation programs. To assist in establishing a continuing plan for the Town's park system involving research, comments and/or recommendations on parks and recreation-related matters.
- C. To assist the Town Council on the policies, rules and regulations relating to the operation, use, care and maintenance of areas and structures owned, leased or otherwise acquired by the Town for use as parks and recreation centers, including:
 1. Propose measures to repair or expand facilities to accommodate greater use.
 2. Propose signing, fencing, or other measures the Town may undertake to prevent the facilities from being damaged or destroyed by unauthorized uses.
- D. To assist the Town Council in establishing priorities at budget time relating to park acquisition, development and recreation programs.
- E. Suggest/propose fees and/or fund raising ideas to finance expansion of development of parks and recreational facilities.
- F. Make recommendations to the Town Council to receive, accept and acquire by gift, bequest or device real and personal property of every kind, nature and description in the name of the Town for park and recreational purposes, subject to the terms of such gift.

Existing Town Code Article 17-6:

Section 17-6-1 Establishment and Purpose of the Library Advisory Board: The Library Advisory Board shall serve at the appointment of the Town Council. It shall be the purpose of the Library Advisory Board:

- A. To act as an advisory body to the Town Council for the purpose of establishing general priorities of the Clark Memorial Public Library.
- B. To suggest/promote fund-raising ideas to finance projects in relation to the library operations.

The formation process will entail removing the above two sections from the Town Code and adding a new section providing determinations for the new Commission. The following text (italicized) is a result of staff's intent to include all points existing in both of the aforementioned Code sections, eliminate redundancies and add clarity; proposed for consideration:

17-3-1 Establishment and Purpose of the Community Services Commission: The Community Services Commission shall serve at the appointment of the Town Council. It shall act in an advisory capacity to the Town Council in matters pertaining to and in the advancement of sound Community Services planning and programming as follows:

- A. Assist, counsel and aid the Town Council in the purchase, sale, lease or other method of acquiring or disposing of lands, structures and facilities for current or future use as libraries, parks or recreation.*

- B. *Assist the Town Council in establishing general priorities and continuing plans relating to libraries, parks and recreation.*
- C. *Assist the Town Council on policies, rules and regulations relating to the operation, use, care and maintenance of areas and structures owned, leased or otherwise acquired by the Town for use as libraries, parks and recreation.*
- D. *Assist the Town Council in developing fees and revenues in support of libraries, parks and recreation.*
- E. *Make recommendations to the Town Council regarding receipt, acceptance or acquisition by gift, bequest or device any real and personal property for libraries, parks and recreation.*

Once the above Code details are established, staff is prepared to move forward with this timeline:

10/13/15	Ordinance reflecting affected Town Code changes presented to Council
11/16/15	Week of...interview prospective members for new Commission
12/8/15	Recommendations of new members to Council
Jan. 2016	Inaugural Community Services Commission regular meeting.

Community Services Supervisor Dawn Norman and Administrative Assistant Joni Westcott presented information on this agenda item.

Mayor Von Gausig recommended that the term “facilities” be clearly defined.

Vice Mayor Dehnert recommended that the phrase “future use relating to libraries, parks or recreation” or “future use for libraries, parks or recreation” be used rather than “future use as libraries, parks or recreation” wherever stated.

Discussion followed regarding the Library Advisory Board and the Parks and Recreation Commission members and their feelings towards the merging of the two and the origin of the merging of the two boards was discussed. The Council felt it was important to include people on the new commission that both had interest in the library as well as parks and recreation.

Town Manager Mabery stated that the focus of the Library Advisory Board for many years has been two fund raising events: Fourth of July Bake Sale and book sales. They are hoping to attract people who are interested in policy rather than simply the fund-raising aspect. Stated she believes that there are still ways to keep these people engaged in new ways that would utilize their fund-raising talents and use the commission to focus on policy. Norman stated that recruiting volunteers for all events is done outside of the Board meetings. Mabery said that if the combined commission doesn't work it can be changed.

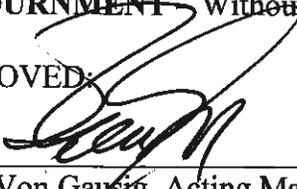
Norman informed Council that there has been expansion of library services to the community with adding Wi-Fi in the Park, movies in the park, and other lending services available in the Park.

This item is for discussion and possible direction to staff to proceed with actions as presented.

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

ADJOURNMENT Without objection Mayor Von Gausig adjourned the meeting at 4:02 P.M.

APPROVED:



Doug Von Gausig, Acting Mayor

ATTESTED/SUBMITTED:



Kathy Bainbridge, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 22nd day of September, 2015. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 14 day of October, 2015.

SEAL



Kathy Bainbridge, Town Clerk