

NOTICE – This is provided for public information only. This document is not an approved set of minutes, only a staff summary of actions taken. The approved minutes will contain the official action taken.



**NOTICE OF A REGULAR MEETING OF THE COMMON COUNCIL
OF THE TOWN OF CLARKDALE
Tuesday, October 13, 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, October 13, 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 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 October 8, 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.

CALL TO ORDER – Meeting was called to order at 6:00 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
Town Clerk/Finance Director Kathy Bainbridge

Human Resources/Community Services 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.

Beth Escobar, Clarkdale resident and new member of Clarkdale Historical Society Board, shared Museum’s most current newsletter and invited Council to attend speakers’ event on November 13 at 2:00 p.m. at Sharlot Hall Museum. She encouraged membership and visitors to the museum.

Drake Meinke, Clarkdale resident and business owner, reported on recent festivals and activities in the Town as well as the positive responses from participants. Reported on recent river trip and highly recommended the trip.

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 September 8, 2015 and Special Meeting September 22, 2015.
- B. Claims** - List of specific expenditures made by the Town during the previous month. September, 2015 check log and PPE dated 9/5/15 and 9/19/15.
- 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 September 23, 2015
Design Review Board Notice of Cancellation of meeting September 2, 2015
Planning Commission minutes of the meeting held September 15, 2015
Library Advisory Board Notice of Cancellation of meeting September 10, 2015
- D. Extra Mile Day Proclamation** – Approval of a Proclamation naming November 1, 2015 as Extra Mile Day, recognizing individuals and organizations who created positive change by “going the extra mile” and making a difference.
- E. Water Infrastructure Finance Authority (WIFA) Planning and Design Technical Assistance Agreement** – Approval of an agreement with WIFA regarding planning and design for upper town water main replacement project.

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

- F. **An Ordinance of the Mayor and Town Council of the Town of Clarkdale deleting Section 17-3 Parks and Recreation Commission, deleting Section 17-6 Library Advisory Board and recreating Section 17-3 Community Services Commission of the Clarkdale Town Code; repealing conflicting ordinances and providing for severability – Approval of Ordinance #369 creating a Community Services Commission.**

Councilmember Regner moved to approve Ordinance #369, An Ordinance of the Mayor and Town Council of the Town of Clarkdale deleting Section 17-3 Parks and Recreation Commission, deleting Section 17-6 Library Advisory Board and recreating Section 17-3 Community Services Commission of the Clarkdale Town Code; repealing conflicting ordinances and providing for severability effective December 31, 2015. Vice Mayor Dehnert seconded the motion and the motion passed unanimously.

NEW BUSINESS

CLARKDALE MAGISTRATE COURT UPDATE– An update to discuss the administration and operations of the Clarkdale Magistrate Court.

This is an update and no action is required by Council.

PUBLIC HEARING REGARDING A CONDITIONAL USE PERMIT (CUP) APPLICATION FOR A RECREATIONAL VEHICLE (RV) PARK – a public hearing to gather input from the public regarding a CUP for a recreational vehicle (RV) park with a maximum of 70 spaces and supporting infrastructure. Assessor’s parcel number is 400-07-005. Address: 551 Broadway. The subject property is approximately 9.75 acres and is zoned Commercial.

Mayor Von Gausig opened the discussion to public comment and the following persons addressed the Council:

Joseph Rongo, Clarkdale citizen, stated he would like to hear what “protection of the ravine” entails.

Nobe Trump, Clarkdale citizen, concerned about light and noise pollution; 10 p.m. seems very late for their neighborhood; concerned about impact on wildlife as the ravine has a lot of wildlife; privacy issues concerns; stated that this is not the type of business she would like to see in that area and feels it is unsightly.

Drake Meinke, Clarkdale resident – stated he would like Council to review the left hand turn lane. Stated he doesn’t feel there is a speeding problem at that place in Clarkdale that would only allow for right hand turns.

Jamie Rongo, Clarkdale resident – stated she wants to hear what proposals are being offered for the green area and said she is curious about manufactured home and what the zoning is for that area.

Sandy Brown, Clarkdale resident – stated that she is confused on where shade trees would be located according to the plan. She also asked if there was a proposal of building a fence or wall which would help to absorb light and noise. Also stated she wonders about what the defined length of stay would be.

Nobe Trump – concurred that she has concerns about the length of allowable stay.

Bob Haggert, Clarkdale resident – stated he refutes the prior statement that there are no speeding issues in that area and that he has observed highest speeds there. Also expressed concern about manufactured home status and said he doesn't think they would be a positive addition for the area.

Mayor Von Gausig read a written public comment from Ray Selna who expressed support for the project.

This is a Public Hearing only, no Council action required.

CONDITIONAL USE PERMIT (CUP) APPLICATION FOR A RECREATIONAL VEHICLE (RV) PARK – Discussion and possible action regarding a CUP for a recreational vehicle (RV) park with a maximum of 70 spaces and supporting infrastructure. Assessor's parcel number is 400-07-005. Address: 551 Broadway.

Vice Mayor Dehnert moved for the approval of Gary Clouston's Conditional Use Permit for the Rain Spirit RV Park with the conditions as recommended by the Planning Commission and as amended by Council:

1. A building permit shall be issued prior to construction of the buildings included in the proposal.
2. Prior to issuance of a building permit, applicant will record deeds and restrictions for this project which include prohibition against tents and camping, additions of canopies or shade structures to RV units, limiting length of stay to six (6) months and restricting noise after 9:00 p.m.
3. All lighting shall be fully shielded and meet the requirements of Section Eight of the Zoning Code.
4. The applicant shall incorporate a rainwater harvesting plan and a greywater use plan into the final landscape plan.
5. The 4-inch fire hydrant shall be installed as shown on the site plan dated 7-31-15 prior to the issuance of a certificate of occupancy.
6. The applicant shall protect the fragility of the ravine.
7. The pool size shall be limited to 20 feet x 40 feet.

Councilmember Bohall seconded the motion. The motion carried 4 to 1 with Councilmember Regner opposing.

PUBLIC HEARING REGARDING A CONDITIONAL USE PERMIT APPLICATION FOR A MEDICAL TREATMENT FACILITY AT THE SEDONA WELLNESS-SCHOOL OF AYURVEDA MASSAGE - a public hearing to gather input from the public regarding a CUP application for a medical treatment facility at the Sedona Wellness-School of Ayurveda Massage (formerly known as the ASIS Massage School) to allow for certified professionals to provide massage, health and wellness advice within the existing facility. Assessor's Parcel Number 400-07-026F. Address 414 Peace Garden Path (formally 701 South Broadway).

Mayor Von Gausig opened the discussion to public comment and read a letter written by Ray Selna in support of the application for Conditional Use Permit. There was no further public comment.

This is a Public Hearing only, no Council action required.

A CONDITIONAL USE PERMIT APPLICATION FOR A MEDICAL TREATMENT FACILITY AT THE SEDONA WELLNESS-SCHOOL OF AYURVEDA MASSAGE – Discussion and possible action regarding Joseph Rongo's CUP application for a medical treatment facility at the Sedona Wellness-School of Ayurveda Massage (formerly known as the ASIS Massage School) to allow for certified professionals to provide massage, health and wellness advice within the existing facility. Assessor's Parcel Number 400-07-026F. Address 414 Peace Garden Path (formally 701 South Broadway).

Councilmember Buckley moved for the approval of Conditional Use Permit for the Sedona Wellness-School of Ayurveda Massage with the conditions as described in the staff report.

- 1. Services provided shall be limited to those described in the Letter of Intent dated 7/14/15.**
- 2. No additional construction shall be associated with this Conditional Use Permit.**

Councilmember Bohall seconded the motion and the motion carried unanimously.

PUBLIC HEARING REGARDING CHANGES TO THE TOWN ZONING CODE CHAPTER 2: DEFINITIONS AND CHAPTER 3: ZONING DISTRICTS – A public hearing to gather input from the public regarding changes to the Town Zoning Code definitions and zoning districts to include adoption of broad categories of uses, reconfiguring and standardizing the permitted uses list and moving some uses from conditional uses to permitted uses and eliminating the Town Center Commercial Zoning District.

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

This is a Public Hearing only, no Council action required.

A RESOLUTION OF THE MAYOR AND THE TOWN COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED: "ZONING DISTRICT CODE" – Discussion and consideration of Resolution #1507 declaring the "Zoning District Code" as a public record.

Vice Mayor Dehnert moved to adopt Resolution #1507, A Resolution Of The Mayor And The Town Council Of The Town Of Clarkdale, Arizona, Declaring As A Public Record That Certain Document Filed With The Town Clerk And Entitled: “Zoning District Code” with the following changes: In Central Business District, Item C. Conditional Uses Permitted, add “Licensed In-Patient and Out-Patient Medical Facilities; in the Commercial Zone, adding as a principal use, “Licensed In-Patient and Out-Patient Medical Facilities”; in Neighborhood Commercial, Item C. Conditional Uses Permitted, adding “Licensed In-Patient Medical Facility”; in Highway Commercial, adding as a Principal Use “Licensed In-Patient and Out-Patient Medical Facilities”. Councilmember Buckley seconded the motion. The motion passed unanimously.

AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN ZONING CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED THE “ZONING DISTRICT CODE” REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PENALTIES; AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #368, an ordinance adopting by reference Article 3-1 through 3-16 and Section 2-1 titled “Zoning District Code”.

Councilmember Regner moved to adopt Ordinance #368, An Ordinance Of The Town Of Clarkdale, Arizona, Making Changes To The Town Zoning Code By Adopting By Reference That Certain Document Entitled The “Zoning District Code” Repealing Conflicting Ordinances; Providing For Penalties; and Providing For Severability. Vice Mayor Dehnert seconded the motion and the motion passed unanimously.

NOTICE OF INTENT TO SET WASTEWATER RATES – Approval of a Notice of Intent to Set Wastewater Rates.

Councilmember Bohall moved for the approval of the Notice of Intent to Set Wastewater Rates. Vice Mayor Dehnert seconded the motion. The motion passed unanimously.

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

ADJOURNMENT – Without objection Mayor Von Gausig adjourned the meeting at 9:05 P.M.

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.