

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, August 9, 2016**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, August 9, 2016, 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 6:01 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
Community Services/Human Resources Director Janet Perry
Utilities/Public Works Director Wayne Debrosky
Police Chief Randy Taylor
Economic/Community Development Director Jodie Filardo
Senior Planner Beth Escobar
Deputy Clerk Mary Ellen Dunn

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

There was no public comment.

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 –

- 07/27/16 – Attended Police Officer Meeting – discussion with officers about their jobs and events around the country; recognition to Chief Taylor and staff for achieving the 2nd safest city in Arizona status;
- 08/02/16 – Participated in call-in meeting about story mapping program for Verde Front; participated in National Night Out in Clarkdale Park (including Dunk Tank)

Vice-Mayor Dehnert's Report –

- 08/02/16 – Participated in National Night Out in Clarkdale Park;
- 08/06/16 – Attended Clarkdale's Concert in the Park;
- 08/09/16 – United Verde Soil Program tested soil at his home – 8 weeks for results

Councilmember Bohall's Report –

- 07/23/16 – Attended Concert in the Park;
- 07/26/16 – Attended induction/merger of Clarkdale Fire District-Verde Valley Fire District;
- 07/27/16 – Attended VVTPO meeting; attended 70th wedding anniversary of Pat and Jerry Wiley;
- 07/27/16 – Attended Clarkdale Block Party;
- 08/02/16 – Attended National Night Out;
- 08/06/16 – Attended Concert in the Park

Councilmember Regner's Report –

- 07/13/16 – Chaired VVBAC meeting;
- 07/21/16 - Attended luncheon of Arizona City/Town Manager Association where Janet Regner was recognized with Gabe Zimmerman award for community building;
- 08/01/16 – Met with VVBAC Chair Paul Chevalier;
- 08/02/16 – Attended National Night Out;

Councilmember Buckley's Report –

- 07/29/16 – Attended Clarkdale Block Party;
- 08/02/16 – Participated in National Night Out (including Dunk Tank)

Town Manager Mabery's Report –

Thanked the Council and other participants in National Night Out's Dunk Tank. Extra food was purchased in Clarkdale when the food ran out due to large participation.

Upcoming event reminders:

- 08/11/16 – League of Women Voters of Verde Valley sponsoring Candidate Forum at St. Thomas Episcopal Church;
- 08/20/16 – Roman Buffalo Concert in the Park;
- 09/03/16 – Matchbox 22 Concert in the Park;
- 08/23/16 - Council meeting cancelled due to League Conference;
- 08/30/16 – Primary election

Organizational Reports – Reports regarding regional organizations.

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

- VVTPO – presentation on forming an NPO on this side of the Verde Valley; more to come
- CAT – no report

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 –

- No report – presentation on coalition of protection of public lands

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

- 07/13/16 – Process of evaluating survey responses began. Committee passed a motion to recommend to the Governing Board to consider domicile in the Verde Valley as a preference when hiring for administrative positions. Discussion about importance of assessing post-secondary needs with Verde Valley communities. Dr. Barb Waak accepted interim position of Associate Dean for Verde Valley campus.

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.

- Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held July 12, 2016 and Special Meeting July 26, 2016.
- Claims** - List of specific expenditures made by the Town during the previous month. July, 2016 check log and PPE dated July 9 and July 23, 2016.
- 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 July 27, 2016
Design Review Board minutes of the meeting held July 6, 2016
Planning Commission minutes of the meeting held July 19, 2016
Community Services Commission minutes of the meeting held July 13, 2016
Public Safety Personnel Retirement Board minutes of the meeting held May 25, 2016
Municipal Property Corporation minutes of the meeting held July 6, 2016

- D. Proclamation Proclaiming August 21 – 27, 2016 as Employer Support of the Guard and Reserve Week** – Approval of a Proclamation declaring August 21 – 27, 2016 as Employer Support of the Guard and Reserve Week.
- E. Intergovernmental Agreement for Police Dispatch Services** – Approval of the 2016-2019 Intergovernmental Agreement between the Town of Camp Verde and the Town of Clarkdale for Police Dispatch Services.

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

NEW BUSINESS

YAVAPAI ANTI-TOBACCO COALITION OF YOUTH PRESENTATION – A presentation by representatives from the Yavapai Anti-Tobacco Coalition of Youth (YATCY), a youth based group focused on educating communities on the harmful effects of smoking.

Yavapai Anti-Tobacco Coalition of Youth (YATCY) is a youth based group at Mingus Union High School whose focus is educating the community on the harmful effects of smoking. The members of the group include youth who began the program while in middle school and are now attending Mingus. Current President of the group is Sofia Rocha, a junior at Mingus, who states that the group's two major accomplishments include establishing designated smoking areas within the area's local parks and enactment of the Tobacco 21 ordinance, which increases the legal age to purchase tobacco products in the City of Cottonwood from 18 to 21 years.

Jen Mabery, and students from YATCY and Mingus Union High School presented information on the Anti-Tobacco Coalition and movement. The group asked the council to move forward to create an ordinance that raises the smoking age to 21.

Council discussed the proposal and asked questions regarding funding, source of statistical information, how violations would be handled and whether users of tobacco products under the age limit would have criminal penalties.

Councilmembers shared personal stories about their experiences with cigarette smoking.

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

SPECTRUM OVERVIEW OF MOBILE CRISIS RESPONSE TEAM – Presentation by April Razo, Chief Executive Officer of Spectrum.

Spectrum is a non-profit organization providing support and services to residents of Clarkdale. Spectrum responds in situations where families or individuals are in crisis.

Police Chief Randy Taylor introduced April Razo who presented the information on this agenda item.

Council discussed the program and asked questions regarding how the efforts of the organization have helped to reduce the stigma of mental illness. Chief Taylor expressed gratitude to Spectrum for providing tools for providing more appropriate treatment of people. The solution prior to Spectrum's intervention would be to send people to jail which didn't have any useful purpose and was not a long term solution. Taylor stated that the program presented a complete paradigm shift not only with his staff but with the entire community as it was without charge for services, kept mentally ill in their own community, provided assessment and connection to services and freed up officers for other duties.

This is scheduled as a presentation only.

Steven, new resident of Clarkdale – Commented on the two previous presentations and expressed appreciation.

PUBLIC HEARING REGARDING AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE CREATING ARTICLE 8-8-1, BUSINESS REGULATIONS, MOBILE FOOD VENDOR/FOOD TRUCKS OF THE TOWN OF CLARKDALE TOWN CODE, ADOPTING A DEFINITION FOR MOBILE FOOD VENDORS AND ADOPTING REGULATIONS FOR MOBILE FOOD VENDORS/FOOD TRUCKS WITHIN THE TOWN OF CLARKDALE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES – a hearing to gather information from the public regarding mobile food vendors/food trucks.

In response to requests from various Clarkdale businesses, staff is proposing an ordinance adopting regulations permitting Mobile Food Vendors within the Town of Clarkdale. Food trucks have always been a popular venue in urban areas and generated approximately \$650 million in revenue in 2012 according to research done by the National Restaurant Association.

Council first reviewed this draft ordinance in July.

Staff has made the following changes based on input from that meeting:

- The ordinance has been separated into categories for clarity.
- Language has been added regarding amplified sound (Section 8-8-1-G)
- Language has been added regarding the Town's right to conduct inspections (Section 8-8-1-H)
- Penalty language has been added for non-compliance (Section 8-8-1-J)
- Language has been added addressing ice cream trucks and food trucks catering to construction sites. (Section 8-8-3).
- Mobile Food Vendors are prohibited from staying in place overnight except when associated with a Special Event Permit or Town-sponsored event. (Section 8-8-2-C)

In addition, language has been added per the request of the Fire Marshall, requiring an annual inspection and each unit be equipped with a K Fire Extinguisher. (Section 8-8-1-C & D)

There was discussion at the July meeting regarding allowing mobile food vendors to stay in place overnight on private property. Staff could not find any other municipalities that allow food trucks to stay in place overnight. Unlike brick and mortar stores and restaurants, mobile food vendors are not paying property tax. Allowing overnight or extended stays risks the mobile vendor becoming semi-permanent at a location without invoking site plan or design review requirements.

Revenue Implications

In addition to extra business license fees, additional sales taxes could be generated through mobile food vendors since, per the Arizona Department of Revenue, food sold by mobile vendors is subject to transaction privilege tax (TPT).

Review and Input

The draft ordinance has been distributed to the Community Services Department, the Clarkdale Downtown Business Alliance and other local businesses for review.

The Town Attorney has reviewed the latest draft of this ordinance and had no comments on the content.

Verde Valley Fire Deputy Chief/Fire Marshall Moore has provided comments regarding the draft ordinance.

Recommended Changes:

In staff's opinion, the above recommended changes ensure public health and safety issues are addressed while promoting mobile food vendors as an added value to the community and an additional revenue source. Allowing mobile food vendors can promote diversification of the local economy and entrepreneurial growth. Use of these units can be a benefit for existing businesses featuring food trucks in a promotional event.

Senior Planner Beth Escobar presented information on this agenda item.

Mayor Von Gausig opened the discussion to public comment.

Carol Chandler, owner of Street Slice Mobile Food Unit in Prescott Valley- stated she wants to run a mobile food unit in this part of Arizona but has experienced financial difficulty in following all the rules and regulations in the various regions. She listed three issues of major concern: Unification, simplification and elimination and provided comments and elaboration of these issues. She made various suggestions for the Town Code.

Dan Thomas, owner of Iron Horse Grille in Prescott – Spoke in support of Carol Chandler's comments; discussed the growing industry and hoping Clarkdale doesn't close its doors to food trucks and mobile food units. Difficulty with different sets of rules from community to community so simplification would be helpful. Believes Yavapai County has the most comprehensive plan that makes the most sense. Asked that we look at Yavapai County's model.

Public Hearing only, no action required.

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE CREATING ARTICLE 8-8-1, BUSINESS REGULATIONS, MOBILE FOOD VENDOR/FOOD TRUCKS OF THE TOWN OF CLARKDALE TOWN CODE, ADOPTING A DEFINITION FOR MOBILE FOOD VENDORS AND ADOPTING REGULATIONS FOR MOBILE FOOD VENDORS/FOOD TRUCKS WITHIN THE TOWN OF CLARKDALE, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY AND PROVIDING FOR PENALTIES – Discussion and possible action regarding Ordinance #374, Mobile Food Vendor/Food Trucks.

In response to requests from various Clarkdale businesses, staff is proposing an ordinance adopting regulations permitting Mobile Food Vendors within the Town of Clarkdale. Food trucks have always been a popular venue in urban areas and generated approximately \$650 million in revenue in 2012 according to research done by the National Restaurant Association.

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Recommended Changes:

In staff's opinion, the above recommended changes ensure public health and safety issues are addressed while promoting mobile food vendors as an added value to the community and an additional revenue source. Allowing mobile food vendors can promote diversification of the local economy and entrepreneurial growth. Use of these units can be a benefit for existing businesses featuring food trucks in a promotional event.

Senior Planner Beth Escobar addressed the Council's questions and comments pertaining to previous item's public comment. Changes to ordinance were recommended and Council proceeded to the motion.

Mayor Doug Von Gausig moved to delay the adoption of Ordinance #374 until staff has a chance to bring back to the council with answers to the following questions/requirements: 1) Is there a way to standardize fire inspection through the County at the same time the health inspection is done by the County? 2) Can we change ordinance so that fire extinguishers need to be those 'as required by Fire Marshall' (County or District)? 3) Staff should conduct examination of vendor recommendations that were brought forward tonight to see if they would be necessary and would improve the ordinance; and 4) have staff look at County definitions of these vehicles to see if we can adopt those in a way that fits Clarkdale's sensibilities. Councilmember Regner seconded the motion. The motion carried unanimously.

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, SETTING FORTH THE VALUATIONS OF PROPERTY IN THE TOWN OF CLARKDALE FOR THE YEAR #375 ALONG WITH ADOPTING THE TAX LEVY FOR SAID PROPERTY – Discussion and consideration of Ordinance #375, adopting the tax levy and setting the valuations of property in the Town of Clarkdale for fiscal year 2016-2017.

On July 26, 2016 the Council adopted the Property Tax Levy Resolution and the Fiscal Year 2016-2017 Budget. The Council now needs to adopt the property tax levy for the Town. The levy is placed on each one hundred dollars of assessed value of all property, both real and personal, within the corporate limits of the Town of Clarkdale, except property that the law exempts from taxation.

The tax levy for 2016-2017 is \$1.7316 to raise \$505,000.00 for primary tax purposes. A valuation as quoted by the Yavapai County Assessor's Office for primary taxes is \$29,164,544. The following is a history of tax rates and the revenues raised with each tax rate:

<u>FISCAL YEAR</u>	<u>TAX RATE</u>	<u>TAXES</u>
2006-2007	1.1281	\$327,383
2007-2008	.7100	\$246,169
2008-2009	.7100	\$288,949
2009-2010	.9121	\$403,892
2010-2011	.9121	\$412,724
2011-2012	1.0950	\$412,395
2012-2013	1.3333	\$412,391
2013-2014	1.6000	\$438,220
2014-2015	1.5739	\$442,083
2015-2016	1.7165	\$490,000
2016-2017	1.7316	\$505,000

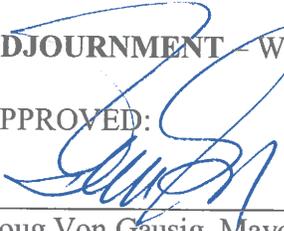
Town Clerk/Finance Director Kathy Bainbridge presented information on this agenda item.

Councilmember Bohall moved to approve Ordinance #375, an Ordinance of the Mayor and Common Council of the Town of Clarkdale, Yavapai County, Arizona, setting forth the valuations of property in the Town of Clarkdale for the year 2016-2017 along with adopting the tax levy for said property. Councilmember Buckley and Vice Mayor Dehnert provided a second and 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 8:02 P.M.

APPROVED:



 Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



 Kathy Bainbridge, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 9th day of August, 2016. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 14 day of Sept, 2016.

SEAL



 Kathy Bainbridge, Town Clerk