



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

Tuesday, November 8, 2016 at 6:00 P.M.

***** Administration Building Community Room *****

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, November 8, 2016, at 6:00 p.m.** in the **Administration Building Community Room, 39N. 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 November 3, 2016 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.

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 October 11, 2016 and Special Meetings October 25, 2016.
 - B. **Claims** - List of specific expenditures made by the Town during the previous month. October, 2016 check log and PPE dated October 1 and 15, 2016.
 - 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 minutes of the meeting held October 26, 2016
Design Review Board minutes of the meeting held October 5, 2016
Planning Commission minutes of the meeting held October 18, 2016
Community Services Commission minutes of the meeting held October 12, 2016
Public Safety Personnel Retirement Local Board minutes of the meeting held October 12, 2016
 - D. **Request for Extension of the Financial Assurance Time Period for Wildhorse Acres Estates, a Minor Subdivision** – Approval for a request for extension of the financial assurance time requirement for Wildhorse Acres Estates Minor Subdivision.
 - E. **Resignation from the Community Services Commission** – Acceptance of an email letter of resignation from Krysta Dehnert of the Community Services Commission
 - F. **Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona amending Resolution #1511, Setting Fees for the Town of Clarkdale by changing court fees** – Approval of Resolution #1531, a resolution updating Court Fees in the Town Fee Schedule.
 - G. **Ordinance Relating to the Sale of Tobacco Products Tabled from October 11, 2016** – Approval to table to December 13, 2016.

NEW BUSINESS

5. **YAVAPAI COLLEGE PRESENTATION** – Dr. James Perey, Executive Dean/Campus Executive Officer for Verde Valley Campus AND Director of University/Governmental Relations, Yavapai College will provide an update on Yavapai College.

6. **PROPOSAL FOR THE VW BUG LANE TO WASTEWATER TREATMENT PLANT SEWER PIPE RELINING PROJECT** – Discussion and possible action on the SAK Construction proposal for relining the 12-inch sewer pipe running from VW Bug Lane to the wastewater treatment plant (WWTP).
7. **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 2 - MAYOR AND COUNCIL, SECTION 2-1-4 VACANCIES IN COUNCIL; 2-1-7 BOND; AND 2-3-1 PRIMARY ELECTION OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** – Discussion and possible action regarding Ordinance 377, an ordinance amending Chapter 2 - Mayor and Council of the Town Code.
8. **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 9 – HEALTH AND SANITATION, ARTICLE 9-4 (O), (P), (S) & (U) INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** - Discussion and possible action regarding Ordinance 378, an ordinance amending Chapter 9 - Health and Sanitation, Article 9-4, International Property Code of the Town Code.
9. **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 14 -TRAFFIC; SECTION 14-1-2 (A) RECORDS OF TRAFFIC VIOLATIONS, SECTION 14-2-2 OBEDIENCE TO TRAFFIC REGULATIONS, SECTION 14-2-13 (A) PROCESSIONS, SECTION 14-3-2(A) BLOCKING TRAFFIC, SECTION 14-3-5 TRAFFIC CONTROL ZONES, SECTION 14-3-6 PARKING LIMITATION AND ARTICLE 14-4-1 (A) & (B) VEHICLE STORAGE REGULATIONS OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** – Discussion and possible action regarding Ordinance 379, an ordinance amending Chapter 14 - Traffic of the Town Code.
10. **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: “REFUSE COLLECTION ”** – Discussion and consideration of Resolution #1532 declaring the “Refuse Collection Code” as a public record.
11. **AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED THE “REFUSE COLLECTION CODE” REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** – Discussion and consideration of Ordinance #380, an ordinance adopting by reference the “Refuse Collection Code” of the Town Code.
12. **REMEDIAL ACTION WORK PLAN (RAWP) FOR UNITED VERDE SOIL PROGRAM (UVSP)** – Discussion and consideration of approving the Town of Clarkdale’s official comments to the Arizona Department of Environmental Quality (ADEQ) on the RAWP for the United Verde Soil Program.

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

14. 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 Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, October 11, 2016**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, October 11, 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 5:59 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
Utilities/Public Works Director Wayne Debrosky
Economic/Community Development Director Jodie Filardo
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.

Ron and Michele Rich, Clarkdale residents, (Mountain Gate), addressed council regarding the water problems they are experiencing.

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 –

- 09/21/16 – Received update on United Verde Soil Program from Freeport regarding letters about the future process of the program
- 09/22/16 – Rehearsed Flynn-Brown video regarding Verde River/Verde Front
- 09/29/16 – Attended League of Arizona Cities and Towns budget committee meeting
- 10/01/16 – Attended Clarktoberfest and congratulated Downtown Business Alliance on success
- 10/03/16 – Attended all day meeting with representatives from San Pedro Watershed
- 10/10/16 – Demonstrated drone use for Jerome representative and presented information about

using drones to inspect waterlines

- 10/11/16 – Attended update meeting with Freeport in preparation for tonight’s meeting

Vice-Mayor Dehnert’s Report –

- 09/16/16 – Taught mental health first aid class in Camp Verde
- 09/24/16 – Joined Friends of the Verde River Greenway in clean up project; attended Verde River Days at Dead Horse Ranch State Park;
- 10/01/16 – Emceed Clarktoberfest
- 10/04/16 – Attended Verde Front meeting in Cottonwood
- 10/08/16 – Attended Northern Arizona Blues Competition

Councilmember Bohall’s Report –

- 09/28/16 – Attended VVTPO meeting
- 10/01/16 – Attended Clarktoberfest
- 10/08/16 – Attended Northern Arizona Blues Competition

Councilmember Regner’s Report –

- 09/14/16 – Attended last meeting of Verde Valley Board Advisory Committee meeting (Yavapai College)
- 09/15/16 – Attended Verde Valley Intergovernmental meeting
- 10/01/16 – Attended Clarktoberfest
- During the past month has been working on the planning for Verde Valley Forum outreach meetings on post-secondary education. There will be a Forum Outreach meeting in Clarkdale at the Yavapai-Apache Nation Learning Center located at 100 Ketcham Ave. on October 18th from 12:00 – 1:30 p.m.

Councilmember Buckley’s Report –

- 09/26/16 and 10/03/16 – Attended Downtown Business Alliance meetings in preparation/debriefing for Clarktoberfest
- 10/01/16 – Attended Clarktoberfest
- 10/08/16 – Attended Northern Arizona Blues Competition

Town Manager Mabery’s Report –

Upcoming events:

- 10/15/16 - Tuzigoot National Monument Health and Wellness Fair from 10 a.m. – 3 p.m.
- 10/19/16 - Renovation celebration for Clark Memorial Clubhouse at 10 a.m. and Clarkdale Historical Society will be leading a historic tour
- 10/21/16 - VVREO hosting economic State of the Region breakfast meeting 7:30 – 10:30 a.m.
- 10/22/16 - Tuzigoot National Monument hosting bird walk at 9 a.m. at Tavasci Wash

- 10/29/16 - Clarkdale Downtown Business Alliance hosting Howl-oween 10 a.m. – 1 p.m. at Clarkdale Park
- 10/31/16 - Halloween celebrations, Safe Trick or Treating 5 – 7 p.m., Costume Contest at 5:30 p.m. in the Park.

Other Clarkdale items:

- There was a planned water outage today but did not plan for a water outage in Mountain Gate. Apologies extended to those inconvenienced by this outage. One hundred year old pipes and infrastructure has contributed to problems with discolored water and other issues over time and the Town is working to replace.
- The Broadway and Main intersection will be going through a construction project starting October 19th and will last through April 2017.
- In November the Downtown Business Alliance, Verde Canyon Railroad, Copper Museum and Nick of Time Productions, the “ExperienceClarkdale.com will be launched to attract visitors and residents to Clarkdale.
- Requests council table item #4 until November 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 – No report
- VVTPO – Central Yavapai Metro Planning Organization may run under VVTPO and money may be more scarce

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

- No report

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

- No report

VVLP – Verde Valley Land Preservation. Councilmember Regner –

- No report

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

- 09/14/2016 – Last meeting of this group. Agenda included third installment of a presentation from Executive Dean James Perey on the integration into the College's strategic plan of the recommendations in the 2015 report. There was an update from the Valley Academy for Career and Technology Education board president on changes at the career and technical education district serving the Verde Valley.

PRESENTATION OF AWARD - Presentation of a Program Excellence Award in the Community Sustainability from the International City/County Management Association.

Councilmember Regner moved to table this item until next November regular meeting. Vice Mayor Dehnert seconded the motion and it passed unanimously.

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 13, 2016.
- B. **Claims** - List of specific expenditures made by the Town during the previous month. September, 2016 check log and PPE dated September 3 and 17, 2016.
- 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 Cancellation of Meeting September 28, 2016
Design Review Board Cancellation of Meeting September 7, 2016
Planning Commission minutes of the meetings held September 20, 2016
Community Services Commission minutes of meeting held September 14, 2016
- D. **A Resolution of the Clarkdale Town Council to recognize 2016 Cities and Towns Week around the State of Arizona** – Approval of Resolution #1528 a Resolution to recognize 2016 Cities and Towns Week around the State of Arizona.
- E. **Extra Mile Day Proclamation** – Approval of Proclamation Declaring November 1, 2016 Extra Mile Day in Clarkdale, Arizona.
- F. **Domestic Violence Awareness Proclamation** – Approval of a Proclamation naming October as Domestic Violence Awareness Month, recognizing individuals and organizations who provide critical advocacy, services, and assistance to victims.

Vice Mayor Dehnert moved to approve Consent Agenda items A – F as presented. Councilmember Buckley seconded the motion and the motion was approved unanimously.

NEW BUSINESS

UNITED VERDE SOILS PROGRAM (UVSP) – An update from representatives of Freeport Minerals

Corporation on the current status and future plans for the UVSP.

The Town of Clarkdale was informed in April, 2015 that Freeport Minerals Corporation (Freeport) had submitted an application with the Arizona Department of Environmental Quality's (ADEQ) Voluntary Remediation Program to undertake the UVSP. According to a Fact Sheet developed by Freeport and provided to the Town at the outset of the project, the United Verde Copper Company operated a copper smelter northwest of Clarkdale from 1915 to 1932. The smelter was reopened in 1935 when Phelps Dodge purchased United Verde and continued to operate until 1953. Freeport is the successor to Phelps Dodge Corporation. Because the United Verde smelter operated in an era before emissions control equipment was commonly used, historical air emissions from the smelter may have deposited metal-bearing particles (including arsenic, copper, lead and zinc) on nearby soil.

Under the Voluntary Remediation Program, Freeport was granted approval from ADEQ to move forward with plans for a soil testing program to investigate potential smelter-related impacts to soil in the area of Clarkdale near the former smelter. This area generally includes the properties located in the residential portion of the historic Clarkdale townsite and the Yavapai-Apache Nation reservation (see attached map). If test results determine that metal concentrations in soil exceed the target cleanup levels for the program, then Freeport will offer soil replacement and landscaping restoration at no cost to the property owner.

Letters were mailed to 504 property owners in upper and lower Clarkdale on April 22, 2015 advising property owners of the program, and inviting them to grant permission for soil testing on their property. With significant responses from property owners, Freeport began testing soils in lower Clarkdale beginning in June, and started testing soils in upper Clarkdale in August. Soil testing continues at this time, and numerous residents in lower Clarkdale and some in upper Clarkdale have already received the results of their tests.

Because some test results have exceeded target cleanup levels, Freeport recognizes that they'll indeed be doing some remediation in Clarkdale in the future. They will have to file and receive approval for a Remedial Action Work Plan (RAWP) from the Arizona Department of Environmental Quality (ADEQ) before proceeding with any remediation work. They expect to submit the plan to ADEQ sometime this fall, and will provide Clarkdale with a copy of the plan simultaneous to its submission to ADEQ.

Our Clarkdale team met with Freeport representatives in mid-September to get a project update and discuss plans for an October 11th presentation to the Town Council and an October 18th Public Open House. At that time, they had sampled 143 properties and delivered sampling results to 61 property owners in lower Clarkdale. Approximately 75% of those 61 properties registered levels of metals that exceeded standards and will be offered the opportunity to have their soils replaced.

Freeport plans to give the Town Council a report that reflects data collection (including maps) through the first of October when they present at the October 11th Council meeting.

In addition to the presentation at the October 11th Council meeting, Freeport plans to host a public Open House on Tuesday, October 18th in the Auditorium of the Clark Memorial Clubhouse. The general public, and anyone interested in learning more about the project, or with questions about how to move forward with testing or soil replacement, is invited to attend the Open House.

Town Manager Mabery presented introductory remarks on this presentation and introduced Alicia Voss, and Joe Brunner.

Voss noted that Freeport Minerals was very happy with the current response and are hopeful that the current 63% response will grow. Current results and statistics were discussed regarding property owners solicitations for service and responses.

Voss clarified that there would generally be two agreements with property owners: 1) the access agreement; and 2) the property clean-up plan agreement.

Town Manager Mabery noted that requests have gone out in town newsletter to property owners to share the data of their results if individuals would be willing.

Freeport Minerals representatives addressed questions and comments from the Council and Mayor Von Gausig opened the agenda item to public comment/questions. The following persons addressed their comments and questions:

Charlotte Page(?), Clarkdale resident – What kind of health concerns are we alleviating by having remediation and is Freeport asking property owners to release them from all liability?

Voss: Representatives from the County Health Department and the State Health Department as well as a medical professional who will be available at the Open House on October 18th to answer questions. If they cannot attend they will be provided with the contact information for the State and County Health Departments. She further stated that property owners are not asked for releases from liability.

Rick Brady, Cottonwood veterinarian – Is there any correlation between the arsenic in the soil findings and arsenic in the water?

Voss: There is no correlation between the arsenic in the first 6 – 12” of the soil and the drinking water which comes from a different supply. Arsenic occurs naturally in the geologic formations from which the water is drawn.

Von Gausig: The Town of Clarkdale remediates for arsenic in drinking water to get it to acceptable levels (below 10 parts per billion). Arsenic levels that may occur in homes with private wells would not be known to the Town.

Donna Whitmore, Clarkdale resident - What impact on property sales would be if remediation would be done or not done? Is disclosure of remediation or not having remediation done required?

Voss: Freeport has reached out to Realtors' Association in Yavapai County. Doesn't know what the future holds for Clarkdale but their experience in other communities is that they typically have not seen any slowing of real estate transactions. Because new citizens move to a region, or existing citizens are unaware of the program, toll free numbers are set up for future questions and remediation requests.

Mabery: Following some discussions with realtors, soil remediation is a disclosable issue, however any disclosure questions should be directed to realtors.

Tom Clark, Clarkdale resident – Would study area be expanded from current delineated area? Could he request sampling?

Voss: Data would determine expansion of the sampling area. She asked if he could wait to see if boundary would be expanded anyway and Mr. Clark he agreed.

Mayor Von Gausig closed public comment and council discussion and questions continued.

Voss stated that selected contractor will choose soil for replacement which Freeport will test prior to replacement. Organic, nutrient, and quality criteria must be met. Agricultural schools and state conservation service provide soil advice. (602) 366-8049 is Soil Program office contact phone number.

This is a presentation only. No action is required by the Town Council.

UNITED VERDE SOILS PROGRAM AGREEMENT – Consideration of an agreement between the Town of Clarkdale and Freeport Minerals Corporation, setting forth the terms and conditions of agreement between the parties relating to the United Verde Soil Program.

Upon notification by Freeport in April, 2015 of the impending United Verde Soil Program in Clarkdale, the Town established an internal team to work on this project on our behalf. In addition to the internal team, we recognized early on that we would need some specialized advice on this project. During their April 28, 2015 Council meeting, the Town Council directed the staff to initiate an amendment to the Town of Clarkdale's contract with Squire Patton Boggs (SPB) to include legal advice and consulting on issues relating to the UVSP. As a result, Christopher Thomas from SPB has provided legal advice on this issue, and environmental consulting services have been provided through SPB by Gary Boettcher and Associates, LLC. Our Town Attorneys, Boyle, Pecharich, Cline, Whittington, and Stallings, PLLC, have also provided legal advice on this project to the Town.

Clarkdale's environmental consultants and legal team have provided review of technical documents and on-going consultation for other technical and legal issues relating to this project, including, but not limited to, review of:

- Freeport's Voluntary Remediation Program Application for the UVSP, dated July 24, 2014
- A Human Health Risk Assessment to Support Site-Specific Soil Remediation Levels for Arsenic, Copper and Lead at the United Verde Soil Program (Prepared for Freeport by Damian Applied Toxicology, LLC)
- The Sampling and Analysis Plan for the United Verde Soil Program (Prepared for Freeport by GHD Services, Inc.)
- The Quality Assurance Project Plan for the United Verde Soil Program (Prepared for Freeport by GHD Services, Inc.)

Because some test results have exceeded target cleanup levels, Freeport recognizes that they'll indeed be doing some remediation in Clarkdale in the future. To proceed with soil replacement projects, Freeport

will have to file and receive approval for a Remedial Action Work Plan (RAWP) from the Arizona Department of Environmental Quality (ADEQ). In addition, Freeport will be required to apply for permits from the Town of Clarkdale for grading and work within Town right-of-ways.

Article 3-5 of the Clarkdale Town Code (adopted in 2014), outlines the Town's requirement for payment of any fees for outside consultant services. Paragraphs 6 and 7 of the agreement are aligned with that provision of the Town Code, and outline the processes for reimbursement of expenses incurred in reviewing, processing or administering permits required by the Town for FMC's UVSP activities.

While the Town's permit fee structure is anticipated to cover our costs for processing the permits and monitoring construction activity under those permits, the Town sought execution of a separate agreement with Freeport to further detail expectations with regard to expense reimbursements for outside consulting and legal expenses associated with the UVSP project in general.

The agreement before the Council tonight has been the subject of discussion between Freeport representatives and the Clarkdale team since early 2016. As you will see on review of the agreement (Paragraph 5), the Town has asked for up to \$25,000 to reimburse the Town for reasonable outside technical consultant and legal services incurred by the Town to date for the UVSP (Actual expenses for these purposes have been \$24,670.87). Additionally, we've asked for FMC to pay up to a total amount of \$25,000 more to reimburse the Town for expenses that may be incurred to review and comment on the upcoming remediation work plans and completion report for the UVSP.

Our Clarkdale team feels that the estimated \$25,000 allocation for review of upcoming remediation work plans and completion report for the UVSP will be sufficient to cover our expenses. However, Paragraph 5 also includes a provision that the Town reserves the right to seek reimbursement from FMC of additional technical consultant or legal review and comment fees, if incurred.

Town Attorney Robert S. Pecharich has reviewed and approved the agreement as presented.

Should the Town Council approve the agreement as recommended, staff will also proceed with executing Access Agreements to allow FMC to proceed with soil testing on town owned properties within the Initial Study Area.

Town Manager Mabery presented information to council on this agenda item.

Councilmember Regner moved to approve the United Verde Soil Program Agreement with Freeport Minerals Corporation with the sole change dating agreement October 11, 2016. Vice Mayor Dehnert seconded the motion and the motion passed unanimously.

AN ORDINANCE RELATING TO THE SALE OF TOBACCO PRODUCTS – Consideration of an Ordinance amending Chapter 10, Offenses, of the Clarkdale Town Code, by adding Article 10-5 Sale of Tobacco Products.

During the August 9th Clarkdale Town Council meeting, members of the Yavapai Anti-Tobacco Coalition of Youth (YATCY), a youth based group at Mingus Union High School whose focus is

educating the community on the harmful effects of smoking, gave a presentation to the Clarkdale Town Council on their Tobacco 21 initiative.

The members of YATCY are engaging with local governments throughout the Verde Valley in order to gain support for the adoption of “Tobacco 21” ordinances, which increase the legal age to purchase tobacco products in localities from 18 years of age (which is the State law in Arizona) to 21 years of age. YATCY is working with other youth coalitions across the State of Arizona who are seeking the same legislative action. Here in the Verde Valley, the Cottonwood City Council adopted a Tobacco 21 measure in May, 2016.

Following the August 9th Council presentation, Council Members Bill Regner and Curt Bohall indicated their support for bringing an ordinance forward for Council consideration. Based on their input, discussion at the August 9th Council meeting, and on input from YATCY, staff is presenting two versions of a Tobacco 21 ordinance for consideration at the October 11th Council meeting.

While some local ordinances regulate sale, use and possession of tobacco products, both versions of the ordinance that are presented for Council consideration are limited to regulating the sale of tobacco products to persons under 21 years of age. In alignment with Council Member Regner and Bohall’s sponsorship of the agenda item, our proposed ordinances do not regulate use or possession for those under 21 years of age.

The difference between Version A and Version B lies in the effective date of the ordinance. Version A would become effective 30 days from adoption, and would restrict the sale of tobacco products to all persons under the age of 21 from that point forward.

Version B was drafted as an option due to comments made by Vice Mayor Dehnert during the August 9th Council meeting. In Version B, there would be a “phased in” effective date which would result in persons who have reached the age of 18 as of the effective date of the ordinance being “grandfathered” for purchase of tobacco products. This grandfathering provision would effectively stay in place until 3 years after the ordinances effective date, after which time all persons who would be impacted by the grandfathering clause in the ordinance would have reached the age of 21.

Since the August 9th meeting, Town Manager Mabery has met individually with the YATCY Coordinator from the Yavapai County Health Department and with the YATCY Committee at Mingus Union High School. Town Manager Mabery has encouraged YATCY members to conduct outreach to Clarkdale businesses who sell tobacco products to determine their position with regard to the proposed ordinance. In addition, as noted during the August 9th Council meeting, Town Manager emphasized the importance of outreach to the Yavapai-Apache Nation’s Tribal Council, who hold the regulatory authority to adopt Tobacco 21 legislation on the Yavapai-Apache Reservation in Clarkdale.

Members of YATCY have asked for the opportunity to address the Town Council at the October 11th Council meeting to update them on the following topics:

- YATCY outreach to Clarkdale businesses who sell tobacco products
- YATCY outreach to the Yavapai-Apache Nation
- Background and outcomes in other communities who have chosen to regulate sales only

- YATCY's position with regard to the use of grandfathering provisions in local ordinances

Town Manager Mabery provided introductory remarks regarding the ordinance. Discussion followed among Council regarding grandfather clause, penalties, enforcement and other aspects of the ordinance.

Mabery noted that it might be advisable to hold off on approval of this ordinance until after the fee/penalty ordinance is executed.

Mayor Von Gausig opened the discussion to public comment. The following persons/groups addressed the Council in public comment:

Members of Yavapai Anti-Tobacco Coalition of Youth (YATCY) presented prepared statements to Council.

Ron Rich, Clarkdale resident, asked about coordinated enforcement actions.

Carla Holbert, Program Manager, Yavapai Community Health Services, addressed council and audience regarding the enforcement options available to the courts. They work in conjunction with the courts, attorney general's office and law enforcement to make this an educational rather than punitive experience.

Rick Brady, veterinarian in Cottonwood, spoke in favor of Tobacco 21.

Mayor Von Gausig closed public comment.

Discussion among council followed regarding definitions and penalty clarifications.

Vice Mayor Dehnert read prepared comments of encouragement and clarification to the YATCY members.

Town Manager Mabery requested clarification from council on items to be considered:

- 1) Clarifying in first definition that NicoDerm, patches, etc. are regulated by FDA;
- 2) Getting clarification on tobacco derived statement and tying in more specifically with nicotine; and
- 3) Getting clarification on the maximum dollar amount on the civil offense would be and whether a surcharge would apply if a civil offense fine was levied.

Councilmember Bohall moved to table this agenda item action to the November regular meeting date. Councilmember Buckley seconded the motion and motion carried unanimously.

After a five minute recess, Mayor Von Gausig reconvened the meeting.

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

In 2013 the Town of Clarkdale dedicated a new wastewater treatment plant (WWTP) which replaced an existing aerated lagoon treatment process that was built in the 1920s and updated first in 1978 and again in 2005. The new wastewater treatment plant produces a Class A effluent which is then land disposed of at a site that the Town owns along Bitter Creek. The new facility is permitted for a maximum flow of 350,000 gallons per day.

On August 16, 2011 the Town Council adopted Resolution # 1367 which authorized application for funding from the Water Infrastructure Finance Authority of Arizona (WIFA) for the design and construction of a new Wastewater Treatment Plant (WWTP). The amount that was financed from WIFA was \$5,200,000.00 which required a rate increase of approximately \$25.00 over a five (5) year period to cover the additional Capital Debt for the design and construction of the new WWTP.

This proposed wastewater rate increase of \$1.00 is to cover operation and maintenance (O&M), additional electric and chemical costs, for the operation of the new wastewater treatment plant.

The Notice of Intent to Set Wastewater Rates schedules the required public hearing in order to officially consider the wastewater rate increase before Council for discussion and consideration as required by A.R.S. 9-511.01.

- | | |
|--------------------|--|
| September 27, 2016 | Post Notice of Intent to Impose or Increase Fees or Taxes
(60 days prior to action by Council) |
| October 11, 2016 | Council Adopts Notice of Intent to Set Wastewater Rates at a Regular Council meeting. |
| October 11, 2016 | File report with data supporting the increase of rates with Town Clerk at least 30 days prior to the Public Hearing. |
| November 20, 2016 | Public Hearing Notice published in newspaper.
(Not less than 20 days prior to the public hearing.) |
| December 13, 2016 | Hold Public Hearing & Consider Adoption of Rates by Resolution.
(Not less than 30 days after adoption of Notice of Intent.) |
| January 13, 2017 | Rates become effective. (30 days after the adoption of the Resolution or upon specific future date). |

Public Works/Utilities Director Wayne Debrosky presented information on this agenda item to council.

Vice Mayor Dehnert moved for the approval of the Notice of Intent to Set Wastewater Rates. Councilmember Bohall seconded the motion which 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 8:37 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 11th day of October, 2016. I further certify that meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2016.

SEAL

Kathy Bainbridge, Town Clerk

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, October 25, 2016**

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, October 25, 2016 at 2:25 p.m. at Administration Building Conference Room, 39 N Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 2:25 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

Town Clerk/Finance Director Kathy Bainbridge

Community & Economic Development Director Jodie Filardo

Attorney Millet

1. **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.

Without opposition Mayor Von Gausig moved to adjourn to Executive Session.

2. **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) (7) - “Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property.”

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

A. SBA TOWERS IX, LLC OPTION AND LAND LEASE: Discussion regarding negotiating an Option and Land Lease with SBA Towers IX, LLC for a wireless facility.

3. **ADJOURNMENT**

Without opposition, the Executive Session was adjourned at 3:00 P.M. by Mayor Von Gausig.

Without objection Mayor Von Gausig adjourned the meeting at 3:00 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 25th day of October, 2016. I further certify that meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2016.

SEAL

Kathy Bainbridge, Town Clerk

**Minutes of a Special Session of the Common Council of the Town of Clarkdale
Held on Tuesday, October 25, 2016**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, October 25, 2016 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 3:07 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

Community Development/Economic Director Jodie Filardo

Utilities/Public Works Director Wayne Debrosky

Police Chief Randy Taylor

Town Attorney Jonathan Millet

Deputy Town 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.

PRESENTATION OF AWARD - Presentation of a Program Excellence Award in the Community Sustainability from the International City/County Management Association.

The Town of Clarkdale was among 10 local governments who have been recognized for their outstanding programmatic contributions to local government by ICMA, the International City/County Management Association.

The Town of Clarkdale received a Program Excellence Award in the Community Sustainability category for the demonstration of water sustainability in their Centennial Plaza project. The award recognizes innovative local government programs or processes that creatively balance a community's social, economic, environmental, and cultural needs.

The ICMA Local Government Excellence Awards Program highlights creative contributions to professional local government management while demonstrating the difference that this kind of management makes to the quality of life in our communities. ICMA's Program Excellence Awards are presented to local governments, their chief administrators, and others within the 10,000+ member organization in recognition of their innovative and successful programs. This year, an independent, 21-member evaluation panel reviewed the eligible nominations.

"We congratulate the recipients of our 2016 Program Excellence Awards and the administrators and managers who lead them," says ICMA Executive Director Bob O'Neill. "The communities and men and women recognized this year set the standard for innovation, effectiveness, and creativity. We thank them for their commitment to improving the lives of the constituents they serve every day."

Town Manager Gayle Mabery accepted the award on behalf of Clarkdale at ICMA's Celebration of Service on September 28, 2016 in Kansas City.

No official action is required by the Town Council.

MATFORCE PRESENTATION – A presentation by MATForce.

Dr. Leon Cattolico, MATForce Board of Directors representative, presented Town of Clarkdale Police Department with "Game Changer Award" cups. The cups are tokens of MATForce's gratitude to the agency for making a difference in the community and keeping drugs out of the hands of the children.

This is a presentation only. No Council action is required.

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 – September, 2016
 - Magistrate Court Report – July, August, 2016
 - Water and Wastewater Report – August, September, 2016
 - Police Department Report – August, September, 2016
 - RICO Quarterly Report – July, August, September, 2016
 - NAIPTA Transit Report – July, August, 2016
- B. **Governor's Office of Highway Safety STEP Enforcement Grant** - Acceptance of non-match, Governor's Office of Highway Safety federal grant totaling \$4,000 from 10-01-2016 to 09-30-2017.
- C. **Governor's Office of Highway Safety DUI/Impaired Driving Enforcement Grant** - Acceptance of non-match, Governor's Office of Highway Safety federal grant totaling \$4,000 from 10-01-2016 to 09-30-2017.
- D. **Town Manager annual evaluation process** – Approval of the review process for the Town Manager Annual Evaluation.

- E. **Resolution Amending the Number of Members on the Community Services Commission** – Approval of Resolution #1530, amending the number of members on the Community Services Commission to five (5) members.
- F. **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 “Made in Clarkdale Artists’ Showcase” event to be held Friday, December 2, 2016 from 6:00 P.M. to 9:00 P.M. and Saturday, December 3, 2016 from 4:00 P.M. to 7 P.M. at the Clark Memoria Clubhouse at 19 N. Ninth St., Clarkdale, AZ.
- G. **Election of the Town Council to waive bid procedures with respect to the purchase of a used 2014 Ford Interceptor for the Clarkdale Police Department** – Approval of waiving bid requirements for used equipment per Town Code Section 3-4-9, upon recommendation of the Town Manager.

Vice Mayor Dehnert moved to approve Consent Agenda items A – G as presented. Councilmember Bohall seconded the motion. The motion passed unanimously.

NEW BUSINESS

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: “PENALTY AND ENFORCEMENT CODE” – Discussion and consideration of Resolution #1529 declaring the “Penalty and Enforcement Code” as a public record.

After thorough discussions and reviews by Attorney Millet and Judge Ramsey, a new penalty section has been created that expands the current two paragraphs of the penalty code into a complete new section for use by the person enforcing or prosecuting violations as a civil offense, civil traffic violation, petty offense or criminal misdemeanor offense, punishable by one or more penalties for each violation described in the new section. Classification of misdemeanors, enforcement, commencement, service of citation, appearance – initial hearing, failure to appear, rules of procedure and appeals are also covered. Once that section had been created, 24 other penalty sections throughout the Town Code and Zoning Code were then amended to refer to the new penalty section. Prior to the changes, the penalty sections were all different throughout the Codes and some written in such a way that they could not be enforced.

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

Councilmember Bohall moved for the approval of Resolution 1529, a Resolution declaring the “Penalty and Enforcement Code” as a public record. Vice Mayor Dehnert provided a second and the motion carried unanimously.

AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE AND TOWN ZONING CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED THE “PENALTY AND ENFORCEMENT CODE ” REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY AND

DECLARING AN EMERGENCY – Discussion and consideration of Ordinance #376, an ordinance adopting by reference Chapter 1-1-8; Penalty, along with various penalties and enforcement actions throughout the Town Code and Zoning Code of the Town making reference to that chapter, “Penalty and Enforcement Code”.

During the October 25, 2016 Council meeting, the Council will first consider the adoption of Resolution #1529 that articulates the details of the “Penalty and Enforcement Code”. If the Council supports the adoption of the “Penalty and Enforcement Code”, and has voted to make it a public record by adopting the previous Resolution, then the adoption of this proposed Ordinance would be the final step in the process to formally adopt the “Penalty and Enforcement Code”.

The emergency clause is authorized by Town Code, Section 2-5-4 for the “immediate preservation of the peace, health and safety of the Town. **The Town Code requires a ¾ majority vote of all members elected to the Council.**

Councilmember Regner moved to adopt Ordinance #376, An Ordinance of the Town of Clarkdale, Arizona, Making Changes to the Town Code and Town Zoning Code by Adopting by Reference that Certain Document Entitled the “Penalty and Enforcement Code” Repealing Conflicting Ordinances and Providing For Severability and Declaring an Emergency. Councilmember Bohall seconded the motion which moved to a roll call vote:

Voting Member	Aye/Nay
Council Member Curtiss Bohall	Aye
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

After a brief recess to set up tables, Mayor Von Gausig reconvened the meeting.

Mayor Von Gausig moved the agenda item regarding Community Services (#8) up in order.

A JOINT WORKSESSION TO DISCUSS PRIORITIZING COMMUNITY SERVICES DEPARTMENT’S OPERATIONS, PROGRAMS AND EVENTS.

During their 2016 Strategic Planning session, Council identified as an Important Priority: To prioritize Community Services operations, programs and events to align with existing level of resources. Since that time, the Community Services Commission has worked towards that end and are now prepared to offer their results in a work session with Council.

Community Services Commission Chair Pete Cure called the Community Services Commission meeting to order. Community Services/Human Resources Director Janet Perry introduced the commissioners to Council and audience: Peter Cure, Lynda Zanolli, Trish Gomez, Ben Kramer and Carol Engert. Commissioners gave a PowerPoint presentation which reviewed the Vision and Mission of the Commission, and prioritized the goals set forth based on staff time and dollars spent.

Discussion followed among council and commissioners.

Town Manager Mabery noted that the Library takes approximately 40% of the resources (staff and funds) of the department with little return. She stated that some of the items on the priority list would not be guided by the Commission but rather by the Council and would most likely, by necessity, stay on the list of Community Services duties.

Vice Mayor Dehnert stated he would like to see the library have another year to try to operate, commenting that the library has the ability to be a resource and information center and provide a variety of valuable services. Based on figures he gathered from Yavapai County, he stated that library circulation had increased from FY 13-14 to FY 15-16 forty-four percent. Mabery stated that the video rental service makes up 61% of that circulation figure.

Discussion followed about other libraries in close proximity, over taxing of staff and resources, and loss of County dollars if library closed. Town Manager Mabery noted that if county revenue is lost it would only take away costs that could have been directed to library operations but does not affect the salaries as they are already budgeted. The staff would remain to be directed to other functions.

Mayor Von Gausig opened the discussion to public comment.

Ida deBlanc, Clarkdale resident – listed events that “brand” Clarkdale, i.e., Concerts in the Park, Halloween, and Fourth of July. Spoke about the distance to other libraries in the area and asked “What else could be offered in the library space?” Also spoke about the importance of the volunteer recruitment that Community Services does.

Robyn Prud’homme-Bauer, Clarkdale resident – spoke about the volunteer and staff resources and how to promote the activities on the list. Need more partnerships and cooperation to accomplish this. Need more coordination and streamlining of specific duties with Downtown Business Alliance and individual departments. Stated that shared or rented meeting space would be a good use of library space.

Mayor Von Gausig closed public comment.

Town Manager Mabery stated that the library discussion has been going on for about two years and there needs to be some conclusion. If there is to be more discussion it should happen soon. The Commission has not yet asked “if not the library, what?” If a budget and an answer to this question is an appropriate next step, the Council should advise. Council directed that the commission look into this.

Vice Mayor Dehnert stated that if the majority of the council differs with his opinion, he accepts that. He stated he will be happy to offer whatever help is requested.

This item is scheduled as a discussion only, and no official action is requested from Council.

Town Manager Mabery left the meeting for another commitment. After a brief recess, Mayor Von Gausig reconvened the meeting.

SMOKING IN PARKS AND RECREATION FACILITIES – A discussion on smoking in Town parks, trails and recreation areas and associated improvements and areas owned, leased or otherwise acquired by or under the operation and supervision of Town of Clarkdale, Arizona (“Parks and Recreation Facilities”).

Throughout the years, staff has received complaints on smoking from attendees at Town Park events with the highest offenders at Concerts in the Park. In order to respond to these valid grievances, an informal designated smoking area behind the gazebo has been identified and an announcement is made prior to the start of the concerts to ask those who smoke to be courteous to others and smoke in the designated area. There is, however, no ordinance in place that requires park users/concert attendees to use the designated smoking area.

The current Park Ordinance reflects:

Section 12-1-8 Smoking

- A. The Town may prohibit smoking in any or all areas within Town parks, trails and recreation areas by posting signs stating such.*
- B. The Town or Clarkdale Fire District may temporarily prohibit smoking on all Town parks, trails and recreation areas during periods of high fire danger.*

The Community Services Commission had several worksessions and discussions on identifying designated smoking areas in Town parks, specifically, Clarkdale Town Park, Selna/Mongini Park, Centerville Park and Caballero Park. During these discussions, the Commission considered: the size and layout, types of use, popular use areas, and landscape/terrain of each park as well as the additional costs for signage and receptacles for the designated smoking areas. After considering all of these particulars, the consensus of the Commission was to not install designated smoking areas and to recommend to Council that all Town parks be smoke free, including tobacco, pipes, vapes and any other device producing a form of smoke that would affect others. In September, the Commission expanded their discussion to include all parks and recreation facilities, including the Lower TAPCO River Access Point, the Big Springs Natural Area, trails and all future parks and recreation facilities. The Commission identified the risk of a fire hazard to our natural settings in addition to health concerns leading the Commission to make the recommendation to Council that all parks and recreation facilities as defined under Section 12-1-1 of the Park Ordinance be smoke free with no designated smoking areas.

Section 12-1-1 Applicability of Regulations

These regulations shall apply to all parks, trails and recreation areas and associated improvements and areas owned, leased or otherwise acquired by or under the operation and supervision of the Town of Clarkdale, Arizona (“parks and recreation facilities”).

If Council considers the recommendation made by the Community Services Commission to make all parks and recreation facilities smoke free, there would be no need for an amendment to the Park Ordinance as under Section 12-1-8 Smoking, the Town may do so by posting signs stating such. In addition, a resolution supporting this action would be presented to Council for consideration.

Staff is seeking input and direction from Council on how to proceed.

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

Discussion followed about definitions of ‘smoking’, ‘vaping’ and what ‘facilities’ would be included in the ordinance.

Council directed that staff to draft an ordinance stating there would be a smoking/vaping ban enforced in all town parks, facilities, and trails except for Tapco River Access Point.

This item is scheduled for discussion and direction to staff. No formal action is required.

FISCAL YEAR 2016-2017 BUDGET UPDATE – A worksession to discuss the first quarter of the 2016-2017 FY budget.

This budget update is designed to provide the Town Council with an overview of the current budget position and discuss current budget and revenue projections.

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

<u>Account</u>	<u>YTD Actual</u>	<u>% of Budget</u>
Streets – Revenue (w/o DF)	\$ 108,441.99	24.64%
Streets – Expenses (w/o DF)	\$ 67,370.44	15.31%
Wastewater – Revenue	\$ 168,725.25	24.42%
Wastewater – Expenses	\$ 160,968.60	23.30%
Sanitation – Revenue	\$ 77,515.69	24.46%
Sanitation – Expenses	\$ 70,552.57	24.08%
Water – Revenue	\$ 383,520.57	27.77%
Water – Expenses	\$ 313,171.88	22.68%
Cemetery – Revenue	\$ 20,198.34	33.89%
Cemetery – Expenses	\$ 26,550.81	44.55%
General Fund – Revenue (w/o DF)	\$ 611,169.17	16.69%
General Fund – Expenses (w/o DF)	\$ 709,529.91	23.55%

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 6:02 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 25th day of October, 2016. I further certify that meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2016.

SEAL

Kathy Bainbridge, Town Clerk

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
	C-CHECK		VOID CHECK					
	C-CHECK	V	10/05/2016			074996		
	C-CHECK	V	10/05/2016			075023		
	C-CHECK	V	10/05/2016			075024		
	C-CHECK	V	10/12/2016			075040		
	C-CHECK	V	10/12/2016			075041		
	C-CHECK	V	10/12/2016			075042		
0905	GLOCK PROFESSIONAL INC							
	C-CHECK	VOIDED	GLOCK PROFESSIONAL INC	V	10/12/2016	075046		208.03CR
	C-CHECK	V	VOID CHECK	V	10/12/2016	075070		
	C-CHECK	V	VOID CHECK	V	10/19/2016	075079		
	C-CHECK	V	VOID CHECK	V	10/26/2016	075118		
	C-CHECK	V	VOID CHECK	V	10/26/2016	075119		
	C-CHECK	V	VOID CHECK	V	10/26/2016	075120		
	C-CHECK	V	VOID CHECK	V	10/26/2016	075121		

* * 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:	13	VOID DEBITS 0.00		
		VOID CREDITS 208.03CR	208.03CR	0.00

TOTAL ERRORS: 0

VENDOR SET: 01	BANK: *	TOTALS:	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
			13	208.03CR	0.00	0.00
BANK: *		TOTALS:	13	208.03CR	0.00	0.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0001	ARIZONA STATE RETIREMENT SYSTE							
I-ACRPPE 10012016	ACR STATE RETIREMENT	D	10/05/2016	218.21		000000		
I-LTDPPE 10012016	STATE RETIREMENT	D	10/05/2016	149.56		000000		
I-SR PPE 10012016	STATE RETIREMENT	D	10/05/2016	12,117.48		000000		
I-SRBPPE 10012016	STATE RETIREMENT BUY BACK	D	10/05/2016	349.89		000000		12,835.14
0001	ARIZONA STATE RETIREMENT SYSTE							
I-ACRPPE 101516	ACR STATE RETIREMENT	D	10/19/2016	194.36		000000		
I-LTDPPE 101516	STATE RETIREMENT	D	10/19/2016	151.48		000000		
I-SR PPE 101516	STATE RETIREMENT	D	10/19/2016	12,269.38		000000		
I-SRBPPE 101516	STATE RETIREMENT BUY BACK	D	10/19/2016	349.89		000000		12,965.11
0074	INTERNAL REVENUE SERVICE							
I-T1 PPE 10012016	FEDERAL TAXES	D	10/05/2016	5,624.40		000000		
I-T3 PPE 10012016	FICA WITHHOLDING	D	10/05/2016	8,831.00		000000		
I-T4 PPE 10012016	MEDICARE WITHHOLDING	D	10/05/2016	2,065.28		000000		16,520.68
0074	INTERNAL REVENUE SERVICE							
I-T1 PPE 101516	FEDERAL TAXES	D	10/19/2016	5,512.81		000000		
I-T3 PPE 101516	FICA WITHHOLDING	D	10/19/2016	9,024.20		000000		
I-T4 PPE 101516	MEDICARE WITHHOLDING	D	10/19/2016	2,110.44		000000		16,647.45
0006	AMERICAN FAMILY LIFE ASSURANCE							
I-APRPPE 10012016	AFLAC	R	10/05/2016	132.75		074989		
I-APSPPE 10012016	AFLAC POST TAX	R	10/05/2016	85.81		074989		218.56
0075	ARIZONA DEPARTMENT OF REVENUE-13-052014X	R	10/05/2016	1,996.42		074990		1,996.42
0072	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH INSURANCE	R	10/05/2016	660.12		074991		
I-HSAPPE 10012016	HEALTH SAVINGS ACCOUNT	R	10/05/2016	2,920.02		074991		3,580.14
0009	ARIZONA PUBLIC SAFETY RETIREME SYSTEM 105	R	10/05/2016	482.86		074992		
I-PSRPPE 10012016	SYSTEM 105	R	10/05/2016	6,820.81		074992		7,303.67
0017	ICMA RETIREMENT TRUST 457 301912	R	10/05/2016	1,238.38		074993		1,238.38
0895	NATIONWIDE TRUST CO. FBO NRS ASRS SSDP 457 PLAN	R	10/05/2016	125.00		074994		125.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0072	ARIZONA PUBLIC EMPLOYERS HEALT							
I-2ECPPE 10012016	HEALTH INSURANCE	R	10/05/2016	699.70		074995		
I-2EFPPE 10012016	HEALTH INSURANCE	R	10/05/2016	531.69		074995		
I-CECPPE 10012016	HEALTH INSURANCE	R	10/05/2016	528.93		074995		
I-CEFPPE 10012016	HEALTH INSURANCE	R	10/05/2016	1,450.81		074995		
I-CEOPPE 10012016	HEALTH INSURANCE	R	10/05/2016	960.93		074995		
I-CESPPE 10012016	HEALTH INSURANCE	R	10/05/2016	2,547.72		074995		
I-DECPPE 10012016	DENTAL INSURANCE	R	10/05/2016	191.10		074995		
I-DEFPPE 10012016	DENTAL INSURANCE	R	10/05/2016	385.37		074995		
I-DEOPPE 10012016	DENTAL INSURANCE	R	10/05/2016	252.07		074995		
I-DESPPE 10012016	DENTAL INSURANCE	R	10/05/2016	387.70		074995		
I-HECPPE 10012016	HEALTH INSURANCE	R	10/05/2016	1,552.60		074995		
I-HEFPPE 10012016	HEALTH INSURANCE	R	10/05/2016	3,544.56		074995		
I-HEOPPE 10012016	HEALTH INSURANCE	R	10/05/2016	2,358.40		074995		
I-HESPPE 10012016	HEALTH INSURANCE	R	10/05/2016	2,337.65		074995		
I-VECPPE 10012016	VISION INSURANCE	R	10/05/2016	24.12		074995		
I-VEFPPE 10012016	VISION INSURANCE	R	10/05/2016	77.96		074995		
I-VEOPPE 10012016	VISION INSURANCE	R	10/05/2016	44.73		074995		
I-VESPPE 10012016	VISION INSURANCE	R	10/05/2016	75.00		074995		
I-VLCPPE 10012016	LIFE INSURANCE	R	10/05/2016	0.32		074995		
I-VLEPPE 10012016	LIFE INSURANCE	R	10/05/2016	54.20		074995		
I-VLSPPE 10012016	LIFE INSURANCE	R	10/05/2016	4.60		074995		18,010.16
0902	ANIXTER POWER SOLUTIONS LLC							
I-SE40014086.001	ANIXTER POWER SOLUTIONS LLC	R	10/05/2016	40.47		074997		
I-SE40015830.001	ANIXTER POWER SOLUTIONS LLC	R	10/05/2016	169.66		074997		210.13
0016	ARIZONA OFFICE TECHNOLOGIES							
I-IN243065	ARIZONA OFFICE TECHNOLOGIES	R	10/05/2016	6.74		074998		6.74
0010	ARIZONA PUBLIC SERVICE							
I-92216-4284	ARIZONA PUBLIC SERVICE	R	10/05/2016	28.82		074999		28.82
0010	ARIZONA PUBLIC SERVICE							
I-92216-5284	ARIZONA PUBLIC SERVICE	R	10/05/2016	293.09		075000		293.09
0010	ARIZONA PUBLIC SERVICE							
I-92216-7282	ARIZONA PUBLIC SERVICE	R	10/05/2016	5,688.35		075001		5,688.35
0010	ARIZONA PUBLIC SERVICE							
I-92316-6287	ARIZONA PUBLIC SERVICE	R	10/05/2016	445.33		075002		445.33
0010	ARIZONA PUBLIC SERVICE							
I-92616-5283	ARIZONA PUBLIC SERVICE	R	10/05/2016	10,051.60		075003		10,051.60

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0020	BEYOND EXPRESS II							
I-093016	BEYOND EXPRESS II	R	10/05/2016	248.04		075004		248.04
0015	BOYLE, PECHARICH, CLINE, WHITT							
I-40069	BOYLE, PECHARICH, CLINE, WHITT	R	10/05/2016	4,479.07		075005		4,479.07
0202	CHRIS LIVAS							
I-92816-LIVAS	CHRIS LIVAS	R	10/05/2016	30.00		075006		30.00
0052	HANSON AGGREGATES INC.							
I-1065405	HANSON AGGREGATES INC.	R	10/05/2016	89.77		075007		89.77
0888	HEWLETT PACKARD ENTERPRISE COM							
I-60132265	HEWLETT PACKARD ENTERPRISE COM	R	10/05/2016	206.88		075008		206.88
0093	HILL BROTHERS CHEMICAL CO.							
I-4425134	HILL BROTHERS CHEMICAL CO.	R	10/05/2016	548.43		075009		548.43
0025	LEGEND TECHNICAL SVC OF AZ, IN							
I-1613988	LEGEND TECHNICAL SVC OF AZ, IN	R	10/05/2016	122.00		075010		122.00
0744	MARY ELLEN DUNN							
I-92816-KAYAK TRIP	MARY ELLEN DUNN	R	10/05/2016	20.85		075011		20.85
0916	MATTHEW KLINE							
I-60816	MATTHEW KLINE	R	10/05/2016	22.88		075012		22.88
0049	NICE JONS, INC							
I-16980	NICE JONS, INC	R	10/05/2016	319.00		075013		319.00
0278	NICOLE FLORISI							
I-61016 - NICOLE	NICOLE FLORISI	R	10/05/2016	59.28		075014		
I-61016-NICOLE2	NICOLE FLORISI	R	10/05/2016	82.14		075014		
I-92216-NICOLE	NICOLE FLORISI	R	10/05/2016	448.28		075014		589.70
0029	PETTY CASH							
I-92816	PETTY CASH	R	10/05/2016	240.00		075015		240.00
0029	PETTY CASH							
I-92816-BLUES COMP	PETTY CASH	R	10/05/2016	300.00		075016		300.00
0646	PRAXAIR DISTRIBUTION INC							
I-55609101	PRAXAIR DISTRIBUTION INC	R	10/05/2016	2,103.93		075017		
I-55629099	PRAXAIR DISTRIBUTION INC	R	10/05/2016	829.83		075017		
I-55629152	PRAXAIR DISTRIBUTION INC	R	10/05/2016	129.26		075017		3,063.02

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0079	SAFEGUARD							
I-31709127	SAFEGUARD	R	10/05/2016	128.94		075018		128.94
0618	SHERON DIANE BURKE							
I-92816-DIANE	SHERON DIANE BURKE	R	10/05/2016	300.00		075019		300.00
0154	THE UPS STORE							
I-6991	THE UPS STORE	R	10/05/2016	58.46		075020		58.46
0030	USA BLUEBOOK							
I-063888	USA BLUEBOOK	R	10/05/2016	591.06		075021		591.06
0002	VERDE VALLEY HARDWARE							
I-292936	VERDE VALLEY HARDWARE	R	10/05/2016	25.14		075022		
I-293036	VERDE VALLEY HARDWARE	R	10/05/2016	51.37		075022		
I-293037	VERDE VALLEY HARDWARE	R	10/05/2016	22.53		075022		
I-293066	VERDE VALLEY HARDWARE	R	10/05/2016	115.20		075022		
I-293266	VERDE VALLEY HARDWARE	R	10/05/2016	25.14		075022		
I-293483	VERDE VALLEY HARDWARE	R	10/05/2016	24.57		075022		
I-293489	VERDE VALLEY HARDWARE	R	10/05/2016	5.69		075022		
I-293490	VERDE VALLEY HARDWARE	R	10/05/2016	34.96		075022		
I-293494	VERDE VALLEY HARDWARE	R	10/05/2016	15.31		075022		
I-293535	VERDE VALLEY HARDWARE	R	10/05/2016	14.20		075022		
I-293565	VERDE VALLEY HARDWARE	R	10/05/2016	4.17		075022		
I-293588	VERDE VALLEY HARDWARE	R	10/05/2016	30.57		075022		
I-293646	VERDE VALLEY HARDWARE	R	10/05/2016	16.36		075022		
I-293667	VERDE VALLEY HARDWARE	R	10/05/2016	26.23		075022		
I-293669	VERDE VALLEY HARDWARE	R	10/05/2016	14.20		075022		
I-293685	VERDE VALLEY HARDWARE	R	10/05/2016	26.20		075022		
I-293724	VERDE VALLEY HARDWARE	R	10/05/2016	66.71		075022		
I-293847	VERDE VALLEY HARDWARE	R	10/05/2016	29.02		075022		
I-293894	VERDE VALLEY HARDWARE	R	10/05/2016	145.85		075022		
I-293905	VERDE VALLEY HARDWARE	R	10/05/2016	71.04		075022		
I-293921	VERDE VALLEY HARDWARE	R	10/05/2016	40.57		075022		
I-293926	VERDE VALLEY HARDWARE	R	10/05/2016	15.75		075022		
I-293975	VERDE VALLEY HARDWARE	R	10/05/2016	19.64		075022		840.42
0033	VERIZON WIRELESS							
I-9772540207	VERIZON WIRELESS	R	10/05/2016	490.03		075025		490.03
0332	YAVAPAI COUNTY EMERGENCY MANAG							
I-16711-4	YAVAPAI COUNTY EMERGENCY MANAG	R	10/05/2016	1,762.00		075026		1,762.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0054	#1 FOOD STORE							
I-SEP 16 GALLONS	#1 FOOD STORE	R	10/12/2016	2,267.28		075027		2,267.28
0325	A BETTER CONNECTION							
I-51801310042016	A BETTER CONNECTION	R	10/12/2016	137.00		075028		137.00
0407	ARCHITECTURE WORKS GREEN, INC							
I-SEP 16 BILLING	ARCHITECTURE WORKS GREEN, INC	R	10/12/2016	1,290.40		075029		1,290.40
0010	ARIZONA PUBLIC SERVICE							
I-93016-0286	ARIZONA PUBLIC SERVICE	R	10/12/2016	3,317.45		075030		3,317.45
0931	AUTOZONE PARTS INC							
C-2781078323	AUTOZONE PARTS INC	R	10/12/2016	28.34CR		075031		
I-2781117930	AUTOZONE PARTS INC	R	10/12/2016	21.21		075031		
I-2781124260	AUTOZONE PARTS INC	R	10/12/2016	16.39		075031		9.26
0896	AXIOM SOUTHWEST LLC							
I-S7011507	AXIOM SOUTHWEST LLC	R	10/12/2016	1,340.58		075032		1,340.58
0018	ARIZONA DEPARTMENT OF REVENUE							
I-SEP 16 TPT	ARIZONA DEPARTMENT OF REVENUE	R	10/12/2016	9,190.66		075033		9,190.66
0063	BAKER & TAYLOR							
I-4011702695	BAKER & TAYLOR	R	10/12/2016	64.65		075034		64.65
0015	BOYLE, PECHARICH, CLINE, WHITT							
I-40111	BOYLE, PECHARICH, CLINE, WHITT	R	10/12/2016	561.00		075035		
I-40112	BOYLE, PECHARICH, CLINE, WHITT	R	10/12/2016	896.44		075035		
I-40113	BOYLE, PECHARICH, CLINE, WHITT	R	10/12/2016	175.76		075035		
I-40114	BOYLE, PECHARICH, CLINE, WHITT	R	10/12/2016	57.50		075035		
I-40115	BOYLE, PECHARICH, CLINE, WHITT	R	10/12/2016	363.00		075035		2,053.70
0056	BUG-ME-NOT PEST CONTROL							
I-100516A	BUG-ME-NOT PEST CONTROL	R	10/12/2016	56.00		075036		
I-100516B	BUG-ME-NOT PEST CONTROL	R	10/12/2016	37.00		075036		93.00
0058	CENTURY LINK							
I-92516-249M	CENTURY LINK	R	10/12/2016	1,185.36		075037		1,185.36
0069	CITY OF COTTONWOOD							
I-1481	CITY OF COTTONWOOD	R	10/12/2016	1,265.00		075038		1,265.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0192	COTTONWOOD AUTO PARTS, INC.							
C-97354	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	89.82CR		075039		
I-94488	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	85.53		075039		
I-94497	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	67.79		075039		
I-94586	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	98.71		075039		
I-94786	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	62.49		075039		
I-94962	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	83.46		075039		
I-94969	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	28.16		075039		
I-94970	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	14.20		075039		
I-94972	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	5.19		075039		
I-95107	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	92.12		075039		
I-95108	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	23.99		075039		
I-95547	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	27.85		075039		
I-95548	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	31.88		075039		
I-95584	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	13.14		075039		
I-95612	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	107.71		075039		
I-95758	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	39.72		075039		
I-95826	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	58.46		075039		
I-96271	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	4.91		075039		
I-96989	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	88.67		075039		
I-97019	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	93.11		075039		
I-97265	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	126.28		075039		
I-97291	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	18.94		075039		
I-97346	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	26.11		075039		
I-97353	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	90.21		075039		
I-97478	COTTONWOOD AUTO PARTS, INC.	R	10/12/2016	33.55		075039		1,232.36
0906	ELM USA INC							
I-5680	ELM USA INC	R	10/12/2016	3.50		075043		3.50
0181	FOUR-D, LLC.							
I-586	FOUR-D, LLC.	R	10/12/2016	5,153.75		075044		5,153.75
0697	GFOAZ							
I-2017 DUES GFOAZ	GFOAZ	R	10/12/2016	60.00		075045		
I-DUES-KB	GFOAZ	R	10/12/2016	60.00		075045		120.00
0905	GLOCK PROFESSIONAL INC							
I-SI-0161830	GLOCK PROFESSIONAL INC	V	10/12/2016	208.03		075046		208.03
0905	GLOCK PROFESSIONAL INC							
M-CHECK	GLOCK PROFESSIONAL INC	VOIDED	V	10/12/2016		075046		208.03CR

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0070	HILLYARD							
C-800269492	HILLYARD	R	10/12/2016	28.81		075047		
I-602254867	HILLYARD	R	10/12/2016	155.55		075047		
I-602257618	HILLYARD	R	10/12/2016	137.14		075047		263.88
0108	KONICA MINOLTA, INC.							
I-241818462	KONICA MINOLTA, INC.	R	10/12/2016	124.25		075048		
I-241818626	KONICA MINOLTA, INC.	R	10/12/2016	203.58		075048		
I-241910099	KONICA MINOLTA, INC.	R	10/12/2016	30.67		075048		358.50
0025	LEGEND TECHNICAL SVC OF AZ, IN							
I-1614569	LEGEND TECHNICAL SVC OF AZ, IN	R	10/12/2016	180.00		075049		
I-1614570	LEGEND TECHNICAL SVC OF AZ, IN	R	10/12/2016	16.00		075049		
I-1614727	LEGEND TECHNICAL SVC OF AZ, IN	R	10/12/2016	306.00		075049		502.00
0232	LEXIS NEXIS MATTHEW BENDER & C							
I-86540114	LEXIS NEXIS MATTHEW BENDER & C	R	10/12/2016	59.65		075050		59.65
0053	NACKARD PEPSI COLA							
I-415723	NACKARD PEPSI COLA	R	10/12/2016	66.25		075051		66.25
0670	O'REILLY AUTOMOTIVE STORES INC							
I-3492-491810	O'REILLY AUTOMOTIVE STORES INC	R	10/12/2016	67.87		075052		67.87
0590	OCEAN BLUE CAR WASH							
I-SEP 16 CAR WASH	OCEAN BLUE CAR WASH	R	10/12/2016	88.00		075053		88.00
0624	PLATEAU ENGINEERING INC							
I-5414	PLATEAU ENGINEERING INC	R	10/12/2016	2,468.50		075054		2,468.50
0095	RDO EQUIPMENT CO							
I-P67668	RDO EQUIPMENT CO	R	10/12/2016	34.45		075055		34.45
0320	REESE & SONS TIRE							
I-6594	REESE & SONS TIRE	R	10/12/2016	1,533.14		075056		1,533.14
0223	RURAL WATER ASSOCIATION OF ARI							
I-4806	RURAL WATER ASSOCIATION OF ARI	R	10/12/2016	475.40		075057		475.40
0061	SEDONA RECYCLES, INC.							
I-1016	SEDONA RECYCLES, INC.	R	10/12/2016	300.00		075058		300.00
0739	TOWN OF PAYSON							
I-201609200644	TOWN OF PAYSON	R	10/12/2016	250.00		075059		250.00

VENDOR SET: 01 Town of Clarkdale
 BANK: POOL POOLED CASH
 DATE RANGE:10/01/2016 THRU 10/31/2016

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0253	TYLER TECHNOLOGIES							
I-025-168112	TYLER TECHNOLOGIES	R	10/12/2016	284.31		075060		284.31
0030	USA BLUEBOOK							
I-067207	USA BLUEBOOK	R	10/12/2016	424.73		075061		424.73
0031	THE VERDE INDEPENDENT							
I-734586	THE VERDE INDEPENDENT	R	10/12/2016	30.79		075062		30.79
0031	THE VERDE INDEPENDENT							
I-73778834	THE VERDE INDEPENDENT	R	10/12/2016	374.36		075063		374.36
0032	VERDE VALLEY HUMANE SOCIETY							
I-TC-10/2016	VERDE VALLEY HUMANE SOCIETY	R	10/12/2016	668.75		075064		668.75
0164	VERDE VALLEY OCCUPATIONAL MEDI							
I-1431	VERDE VALLEY OCCUPATIONAL MEDI	R	10/12/2016	50.00		075065		50.00
0255	YAVAPAI COUNTY TREASURER							
I-2016 SELNA PROP TA	YAVAPAI COUNTY TREASURER	R	10/12/2016	725.92		075066		725.92
0020	BEYOND EXPRESS II							
I-100716	BEYOND EXPRESS II	R	10/12/2016	206.70		075067		206.70
0940	DEERE CREDIT INC							
I-1753068	DEERE CREDIT INC	R	10/12/2016	1,668.34		075068		1,668.34
0108	KONICA MINOLTA, INC.							
I-241923769	KONICA MINOLTA, INC.	R	10/12/2016	63.44		075069		
I-241924016	KONICA MINOLTA, INC.	R	10/12/2016	63.44		075069		
I-241924020	KONICA MINOLTA, INC.	R	10/12/2016	63.44		075069		
I-241924124	KONICA MINOLTA, INC.	R	10/12/2016	62.40		075069		
I-241924131	KONICA MINOLTA, INC.	R	10/12/2016	34.27		075069		
I-241924216	KONICA MINOLTA, INC.	R	10/12/2016	63.44		075069		
I-241924217	KONICA MINOLTA, INC.	R	10/12/2016	63.44		075069		413.87
0334	STAPLES ADVANTAGE, INC							
I-3317081268	STAPLES ADVANTAGE, INC	R	10/12/2016	57.17		075071		57.17
0006	AMERICAN FAMILY LIFE ASSURANCE							
I-APRPPE 101516	AFLAC	R	10/19/2016	132.75		075072		
I-APSPPE 101516	AFLAC POST TAX	R	10/19/2016	85.81		075072		218.56

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0075	I-T2 PPE 101516							
	ARIZONA DEPARTMENT OF REVENUE-13-052014X	R	10/19/2016	2,019.87		075073		2,019.87
0072	I-2HSPPE 101516							
	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH INSURANCE	R	10/19/2016	660.12		075074		
	I-HSAPPE 101516							
	HEALTH SAVINGS ACCOUNT	R	10/19/2016	2,920.02		075074		3,580.14
0009	I-PACPPE 101516							
	ARIZONA PUBLIC SAFETY RETIREME SYSTEM 105	R	10/19/2016	459.66		075075		
	I-PSRPPE 101516							
	SYSTEM 105	R	10/19/2016	6,866.73		075075		7,326.39
0017	I-ICMPPE 101516							
	ICMA RETIREMENT TRUST 457 301912	R	10/19/2016	1,238.38		075076		1,238.38
0895	I-NRSPPE 101516							
	NATIONWIDE TRUST CO. FBO NRS ASRS SSDP 457 PLAN	R	10/19/2016	125.00		075077		125.00
0072	I-2ECPPE 101516							
	ARIZONA PUBLIC EMPLOYERS HEALT HEALTH INSURANCE	R	10/19/2016	699.70		075078		
	I-2EFPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	531.69		075078		
	I-CECPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	528.93		075078		
	I-CEFPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	1,608.00		075078		
	I-CEOPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	640.62		075078		
	I-CESPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	2,547.72		075078		
	I-DECPPE 101516							
	DENTAL INSURANCE	R	10/19/2016	191.10		075078		
	I-DEFPPE 101516							
	DENTAL INSURANCE	R	10/19/2016	395.12		075078		
	I-DEOPPE 101516							
	DENTAL INSURANCE	R	10/19/2016	232.68		075078		
	I-DESPPE 101516							
	DENTAL INSURANCE	R	10/19/2016	387.70		075078		
	I-HECPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	1,552.60		075078		
	I-HEFPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	3,544.56		075078		
	I-HEOPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	2,358.40		075078		
	I-HESPPE 101516							
	HEALTH INSURANCE	R	10/19/2016	2,337.65		075078		
	I-VECPPE 101516							
	VISION INSURANCE	R	10/19/2016	24.12		075078		
	I-VEFPPE 101516							
	VISION INSURANCE	R	10/19/2016	89.88		075078		
	I-VEOPPE 101516							
	VISION INSURANCE	R	10/19/2016	44.73		075078		
	I-VESPPE 101516							
	VISION INSURANCE	R	10/19/2016	75.00		075078		
	I-VLCPPE 101516							
	LIFE INSURANCE	R	10/19/2016	0.32		075078		
	I-VLEPPE 101516							
	LIFE INSURANCE	R	10/19/2016	54.20		075078		
	I-VLSPPE 101516							
	LIFE INSURANCE	R	10/19/2016	4.60		075078		17,849.32
0034	I-28524							
	1ST CLASS HOSTING LLC	R	10/19/2016	5.00		075080		5.00

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0902	ANIXTER POWER SOLUTIONS LLC							
I-SE40025500.001	ANIXTER POWER SOLUTIONS LLC	R	10/19/2016	67.96		075081		67.96
0783	ARIZONA UNCLAIMED PROPERTY UNI							
I-2016 UNCLAIMED	ARIZONA UNCLAIMED PROPERTY UNI	R	10/19/2016	1.64		075082		1.64
0020	BEYOND EXPRESS II							
I-101416	BEYOND EXPRESS II	R	10/19/2016	206.70		075083		206.70
0523	CABLE ONE							
I-OCT16 LIB	CABLE ONE	R	10/19/2016	40.00		075084		40.00
0366	CENTRAL GLASS & SCREEN							
I-10066	CENTRAL GLASS & SCREEN	R	10/19/2016	426.38		075085		426.38
0058	CENTURY LINK							
I-1389331968	CENTURY LINK	R	10/19/2016	57.51		075086		57.51
0228	COPPERPOINT MUTUAL INSURANCE C							
I-JUL - SEP 2016 PRE	COPPERPOINT MUTUAL INSURANCE C	R	10/19/2016	8,998.96		075087		8,998.96
0887	FOUR EIGHT WINE WORKS							
I-100 101016	FOUR EIGHT WINE WORKS	R	10/19/2016	358.50		075088		358.50
0093	HILL BROTHERS CHEMICAL CO.							
I-4425667	HILL BROTHERS CHEMICAL CO.	R	10/19/2016	767.80		075089		767.80
0070	HILLYARD							
I-602258982	HILLYARD	R	10/19/2016	193.34		075090		193.34
0661	IACP NET							
I-28277	IACP NET	R	10/19/2016	275.00		075091		275.00
0153	JPS PAINT CENTER							
I-00193107	JPS PAINT CENTER	R	10/19/2016	18.58		075092		18.58
0712	JUSTIFACTS CREDENTIAL VERIFICA							
I-252756	JUSTIFACTS CREDENTIAL VERIFICA	R	10/19/2016	182.40		075093		182.40
0718	KENZ & LESLIE OF ARIZONA INC							
I-2206453	KENZ & LESLIE OF ARIZONA INC	R	10/19/2016	40.66		075094		40.66
I-2206454	KENZ & LESLIE OF ARIZONA INC	R	10/19/2016	16.26		075094		56.92

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0841 I-11579	LAWS LAWS	R	10/19/2016	322.50		075095		322.50
0049 I-17107	NICE JONS, INC NICE JONS, INC	R	10/19/2016	148.50		075096		148.50
0265 I-20342	ROCKY MOUNTAIN INFORMATION NET ROCKY MOUNTAIN INFORMATION NET	R	10/19/2016	50.00		075097		50.00
0618 I-10/3 - 10/14/16	SHERON DIANE BURKE SHERON DIANE BURKE	R	10/19/2016	300.00		075098		300.00
0941 I-4916	THAT BREWING COMPANY LLC THAT BREWING COMPANY LLC	R	10/19/2016	90.00		075099		90.00
0033 I-9773076173	VERIZON WIRELESS VERIZON WIRELESS	R	10/19/2016	706.35		075100		706.35
0043 I-001316415569	WASTE MANAGEMENT WASTE MANAGEMENT	R	10/19/2016	35.00		075101		35.00
1 I-000201610202040	DORRIS, M. LEE US REFUND	R	10/20/2016	22.04		075102		22.04
1 I-000201610202039	HILDERBRAND, VELIA & US REFUND	R	10/20/2016	50.55		075103		50.55
1 I-000201610202041	LUGO, CAMILA US REFUND	R	10/20/2016	44.35		075104		44.35
1 I-000201610202038	NASIRI, MANSOUR US REFUND	R	10/20/2016	62.83		075105		62.83
1 I-000201610202042	WANTLAND, LOREN US REFUND	R	10/20/2016	29.24		075106		29.24
1 I-000201610202043	DETTINGER, LAURANNA US REFUND	R	10/20/2016	11.02		075107		11.02
1 I-000201610202045	HUDDLESTON, VALERIE US REFUND	R	10/20/2016	52.39		075108		52.39
1 I-000201610202044	PAULS, JOHN US REFUND	R	10/20/2016	33.40		075109		33.40

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
1	ANGEL ROBLES							
I-ROBLES 10/15/16	FAC DEP REFUND	R	10/26/2016	800.00		075110		800.00
0010	ARIZONA PUBLIC SERVICE							
I-101416-0285	ARIZONA PUBLIC SERVICE	R	10/26/2016	1,521.86		075111		1,521.86
0385	ARIZONA SECRETARY OF STATE							
I-STEPH NOTARY	ARIZONA SECRETARY OF STATE	R	10/26/2016	43.00		075112		43.00
0020	BEYOND EXPRESS II							
I-102116	BEYOND EXPRESS II	R	10/26/2016	330.72		075113		330.72
0015	BOYLE, PECHARICH, CLINE, WHITT							
I-40307	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	185.85		075114		
I-40308	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	530.42		075114		
I-40309	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	1.36		075114		
I-40310	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	287.00		075114		
I-40311	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	57.75		075114		
I-40312	BOYLE, PECHARICH, CLINE, WHITT	R	10/26/2016	957.00		075114		2,019.38
0523	CABLE ONE							
I-101616-ADMIN	CABLE ONE	R	10/26/2016	50.00		075115		50.00
0058	CENTURY LINK							
I-101316-815B	CENTURY LINK	R	10/26/2016	119.94		075116		119.94
0068	CHASE CREDIT CARD SERVICES							
C-7663448	CHASE: AMAZON	R	10/26/2016	54.55CR		075117		
I-02669G	CHASE: WALMART	R	10/26/2016	100.84		075117		
I-0369001	CHASE: AMAZON.COM	R	10/26/2016	21.02		075117		
I-04584	CHASE: PAYPAL AZ TOWN HALL	R	10/26/2016	15.00		075117		
I-04629	CHASE: PAYPAL AZ TOWN HALL	R	10/26/2016	545.00		075117		
I-08241G	CHASE: FASTRIP FOOD	R	10/26/2016	18.65		075117		
I-09042G	CHASE: USPS	R	10/26/2016	11.35		075117		
I-1068704	CHASE: YAVAPAI COLLEGE	R	10/26/2016	25.00		075117		
I-1068705	CHASE: YAVAPAI COLLEGE	R	10/26/2016	25.00		075117		
I-121884216	CHASE: ALOFT HOTEL	R	10/26/2016	105.86		075117		
I-1454803	CHASE: OREILLY AUTO	R	10/26/2016	94.95		075117		
I-16-17DOMAIN	CHASE: TIERRANET	R	10/26/2016	17.99		075117		
I-200007454	CHASE: AAED	R	10/26/2016	50.00		075117		
I-3281388648	CHASE: HILTON	R	10/26/2016	433.52		075117		
I-35329734	CHASE: START MEETING	R	10/26/2016	13.76		075117		
I-401432R	CHASE: MYAIRBAGS	R	10/26/2016	125.00		075117		
I-4048248	CHASE: AMAZON.COM	R	10/26/2016	43.64		075117		
I-425868092017	CHASE: EDGEWATER	R	10/26/2016	42.56		075117		
I-425868092017-2	CHASE: EDGEWATER	R	10/26/2016	22.40		075117		
I-426055015780	CHASE: ORLEANS HOTEL	R	10/26/2016	71.64		075117		
I-426102033098	CHASE: EDGEWATER	R	10/26/2016	64.96		075117		

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
I-4853061	CHASE: AMAZON.COM	R	10/26/2016	27.80		075117		
I-4932841	CHASE: ICMA	R	10/26/2016	232.45		075117		
I-52285	CHASE: MARRIOTT	R	10/26/2016	80.00		075117		
I-531946331	CHASE: SU CASA	R	10/26/2016	42.27		075117		
I-7024091	CHASE: HOMEDEPOT	R	10/26/2016	173.87		075117		
I-7663448	CHASE: AMAZON	R	10/26/2016	148.63		075117		
I-8504418	CHASE: RYAN HERCO	R	10/26/2016	377.18		075117		
I-8617021B	CHASE: AMAZON	R	10/26/2016	156.89		075117		
I-BP0PD9DFD87B	CHASE: METRO INSTITUTE	R	10/26/2016	99.00		075117		
I-INV000311502	CHASE: TRAFFIC SAFETY STORE	R	10/26/2016	2,171.32		075117		
I-LODGING 9-29-16	CHASE: HILTON	R	10/26/2016	92.36		075117		
I-NICOLE#GROUP	CHASE: MARRIOTT	R	10/26/2016	851.28		075117		
I-P018344500018	CHASE: AMERICAN SCIENCE	R	10/26/2016	36.35		075117		
I-SE699793	CHASE: ARIZONA SHUTTLE	R	10/26/2016	50.00		075117		
I-SE699801	CHASE: ARIZONA SHUTTLE	R	10/26/2016	57.00		075117		
I-YVONNE#GROUP	CHASE: MARRIOTT	R	10/26/2016	851.28		075117		7,241.27
0039	CLARKDALE MUNICIPAL WATER UTIL							
I-101916	CLARKDALE MUNICIPAL WATER UTIL	R	10/26/2016	2,090.52		075122		2,090.52
0196	COLBY & POWELL, PLC							
I-607627	COLBY & POWELL, PLC	R	10/26/2016	5,000.00		075123		5,000.00
0215	DANA KEPNER COMPANY, INC.							
I-9001262-00	DANA KEPNER COMPANY, INC.	R	10/26/2016	109.91		075124		109.91
0200	ELLEN YATES							
I-102016 ADEQ TEST	ELLEN YATES	R	10/26/2016	309.93		075125		309.93
1	GHD SERVICES							
I-GHD - 101816	FAC DEP REFUND	R	10/26/2016	300.00		075126		300.00
1	JAY MCFARLAND							
I-MCFARLAND 102216	FAC DEP REF	R	10/26/2016	50.00		075127		50.00
0103	KATHY BAINBRIDGE							
I-312290	KATHY BAINBRIDGE	R	10/26/2016	80.40		075128		80.40
0942	MCNELLY ENTERPRISES INC							
I-1117	MCNELLY ENTERPRISES INC	R	10/26/2016	10,831.02		075129		10,831.02
0049	NICE JONS, INC							
I-17150	NICE JONS, INC	R	10/26/2016	71.50		075130		
I-17151	NICE JONS, INC	R	10/26/2016	82.50		075130		154.00

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
0890	NORTHERN ARIZONA BLUES ALLIANC							
I-101916	NORTHERN ARIZONA BLUES ALLIANC	R	10/26/2016	819.04		075131		819.04
0161	PATRIOT DISPOSAL, INC.							
I-SEP 2016	PATRIOT DISPOSAL, INC.	R	10/26/2016	17,595.68		075132		17,595.68
1	PETE MACIAS							
I-BUYBACK	CEM BUYBACK	R	10/26/2016	250.00		075133		250.00
0646	PRAXAIR DISTRIBUTION INC							
I-55550226	PRAXAIR DISTRIBUTION INC	R	10/26/2016	1,670.53		075134		1,670.53
0926	QPR							
I-14172853	QPR	R	10/26/2016	458.12		075135		458.12
0334	STAPLES ADVANTAGE, INC							
I-3318240907	STAPLES ADVANTAGE, INC	R	10/26/2016	47.09		075136		
I-3318240908	STAPLES ADVANTAGE, INC	R	10/26/2016	41.80		075136		88.89
1	STEPHANIE PLOTNIKOFF							
I-PLOTNIKOFF 101516	FD REF	R	10/26/2016	50.00		075137		50.00
0067	UNISOURCE ENERGY SERVICES							
I-101916-7 LOC	UNISOURCE ENERGY SERVICES	R	10/26/2016	149.66		075138		149.66
0353	YAVAPAI COUNTY SUPERIOR COURT							
I-3-11617	YAVAPAI COUNTY SUPERIOR COURT	R	10/26/2016	110.70		075139		110.70
1	NEWGATE HOMES LLC							
I-000201610252046	US REFUND	R	10/25/2016	61.79		075140		61.79

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	139	202,230.38	0.00	202,022.35
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	4	58,968.38	0.00	58,968.38
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	1 VOID DEBITS	0.00		
	VOID CREDITS	208.03CR	208.03CR	0.00

TOTAL ERRORS: 0

11/01/2016 8:08 AM
 VENDOR SET: 01 Town of Clarkdale
 BANK: POOL POOLED CASH
 DATE RANGE:10/01/2016 THRU 10/31/2016

A/P HISTORY CHECK REPORT

VENDOR I.D.	NAME	STATUS	CHECK DATE	INVOICE AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
			NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT		
VENDOR SET: 01	BANK: POOL	TOTALS:	144	260,990.73	0.00	260,990.73		
BANK: POOL	TOTALS:		144	260,990.73	0.00	260,990.73		
REPORT TOTALS:			144	260,990.73	0.00	260,990.73		

T: ALL
 ROLL NO#: 01
 PERIOD BEGINNING: 9/18/2016
 PERIOD ENDING: 10/01/2016

P R E L I M I N A R Y

CALC. CT.: 2

*** GRAND TOTALS ***

EARNINGS		BENF/REIMB		DEDUCTIONS			TAXES			
CD	ABBV	EMPLOYEE	EMPLOYER	DESC	TAXABLE	EMPLOYEE	EMPLOYER			
735.50	25,461.76	2.96	696.74	FED W/H	61,688.12	5,624.40				
2,159.75	39,422.49	4.52	527.17	ST WH AZ	61,688.12	1,996.42				
88.25	2,504.72	337.50	322.62	FICA	71,217.66	4,415.50	4415.50			
352.00	352.00		218.21	MEDI	71,217.66	1,032.64	1032.64			
146.00	2,949.56	132.75								
44.00	1,607.49	85.81								
60.00	1,276.72	73.02	455.91							
22.00	405.72	181.39	1269.42							
18.00	0.00	960.93								
2.50	50.32	443.28	2104.44							
40.00	0.00	26.16	164.94							
		74.25	311.12							
			252.07							
		67.80	319.90							
		66.84	1485.76							
		243.12	3301.44							
			2358.40							
		129.45	2208.20							
		808.27	2111.75							
		1080.69	157.69							
		74.78	74.78							
		125.00								
			482.86							
		1915.22	4905.59							
		6058.74	6058.74							
		349.89								
		24.12								
		77.96								
		44.73								
		75.00								
		0.32								
		54.20								
		4.60								
ALS:	3,668.00	74,030.78	0.00	12562.37	30748.68			13,068.96	5448.14	

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

PT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
	74,030.78	64,884.25	2,504.72	6,289.81	352.00	0.00	12,562.37	13,068.96	48,399.45
ALS	74,030.78	64,884.25	2,504.72	6,289.81	352.00	0.00	12,562.37	13,068.96	48,399.45

REGULAR INPUT: 48 MANUAL INPUT: 0 CHECK STUB COUNT: 1 DIRECT DEPOSIT STUB COUNT: 47

T: ALL
 ROLL NO#: 01
 PERIOD BEGINNING: 10/02/2016
 PERIOD ENDING: 10/15/2016

P R E L I M I N A R Y

CALC. CT.: 2

*** 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
	738.00	26,585.27			2EC	2EC	2.96	696.74	FED W/H	63,157.51	5,512.81	
RR	2,097.50	38,633.88			2EF	2EF	4.52	527.17	ST WH AZ	63,157.51	2,019.87	
	82.00	2,289.41			2HS	2HS	337.50	322.62	FICA	72,775.89	4,512.10	4512.10
	482.00	482.00			ACR	ACR		194.36	MEDI	72,775.89	1,055.22	1055.22
	256.50	4,701.66			APR	APR	132.75					
	62.00	2,278.26			APS	APS	85.81					
K	19.25	440.23			CEC	CEC	73.02	455.91				
MI	1.50	29.16			CEF	CEF	338.58	1269.42				
	5.25	0.00			CEO	CEO		640.62				
	16.00	328.00			CES	CES	443.28	2104.44				
					DEC	DEC	26.16	164.94				
					DEF	DEF	84.00	311.12				
					DEO	DEO		232.68				
					DES	DES	67.80	319.90				
					HEC	HEC	66.84	1485.76				
					HEF	HEF	243.12	3301.44				
					HEO	HEO		2358.40				
					HES	HES	129.45	2208.20				
					HSA	HSA	808.27	2111.75				
					ICM	ICMA	1080.69	157.69				
					LTD	STLTD	75.74	75.74				
					NRS	NRS	125.00					
					PAC	PSACR		459.66				
					PSR	PSR	1928.11	4938.62				
					SR	STRET	6134.69	6134.69				
					SRB	STRBB	349.89					
					VEC	VEC	24.12					
					VEF	VEF	89.88					
					VEO	VEO	44.73					
					VES	VES	75.00					
					VLC	VLC	0.32					
					VLE	VLE	54.20					
					VLS	VLS	4.60					
TOTALS:	3,760.00	75,767.87		0.00			12831.03	30471.87			13,100.00	5567.32

DEPARTMENT RECAP

PT NO#	GROSS	REGULAR	OVERTIME	LEAVE	OTHER	BENEFITS	DEDUCTIONS	TAXES	NET
	75,767.87	65,219.15	2,289.41	7,777.31	482.00	0.00	12,831.03	13,100.00	49,836.84
TOTALS	75,767.87	65,219.15	2,289.41	7,777.31	482.00	0.00	12,831.03	13,100.00	49,836.84

REGULAR INPUT: 54 MANUAL INPUT: 0 CHECK STUB COUNT: 0 DIRECT DEPOSIT STUB COUNT: 54

===== FUND TOTALS =====
01 GENERAL FUND 258,942.68
03 HURF (STREETS) 25,120.35
04 DEVELOPMENT REIMBURSEMENT 420.75
11 SEWER FUND 26,058.59
12 TRASH FUND 21,414.40
13 WATER FUND 60,006.40
16 GRANTS FUND 2,468.50
19 CEMETERY 2,862.49
24 CAPITAL IMPROVEMENT 595.00
29 POLICE GRANTS 6,825.09
34 SCHOOL OFFICERS FUND 4,129.87
80 DONATION FUND 1,945.26

GRAND TOTAL: 410,789.38

MINUTES OF A REGULAR MEETING OF THE BOARD OF ADJUSTMENT OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, OCTOBER 26, 2016, AT 6:00 P.M. IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.

A **Regular Meeting** of the Board of Adjustment of the Town of Clarkdale was held on Wednesday, October 26, 2016, at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

BOARD MEMBERS:

Chairperson	Charles Christensen	Present
Vice Chairperson	Peter deBlanc	Present
Board Members	Howard Beck	Present
	Winnie Bohall	Present
	Robert Ingulli	Present

STAFF:

Building Official	Paul Grasso
Community Development Technician	Stephanie Vocca

Others in Attendance:

None

1. **AGENDA ITEM: CALL TO ORDER:** The Building Official called the meeting to order at 5:56 p.m.
2. **AGENDA ITEM: ROLL CALL:** The Building Official 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**.

No public comment.

4. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of July 22, 2015.** Board Member deBlanc motioned to approve the **Regular Meeting Minutes of July 22, 2015.** Board Member Bohall seconded the motion. The motion passed unanimously.

5. **AGENDA ITEM: REPORTS:**

Chairperson and Member Report: None

Staff Report Updates: None

6. **NEW BUSINESS:**

- a. **WELCOME NEW BOARD MEMBERS:** The Building Official welcomed the new board members and each board member gave an introduction.
- b. **DISCUSSION/ACTION:** Discussion/action regarding the election of the Chair and Vice Chair.

BOARD ACTION: Board Member Bohall made a motion for Board Member Christensen to be Chair. Board Member Beck seconded the motion. The motion passed unanimously. Chair Christensen motioned for Board Member deBlanc to be Vice Chair. Board Member Ingulli seconded the motion. The motion passed unanimously.

- c. **DISCUSSION/POSSIBLE ACTION:** Discussion/possible action regarding Board roles and regulations.

Discussion:

Board Member Beck asked if the Council has the capability to disapprove an item approved by the Board of Adjustment. Building Official Grasso stated Council does not have that capability and the only way an item can be disapproved is if the item is taken to Yavapai County Superior Court. He gave an example of a case where an item was not approved by the Board and it was taken to court but it was the wrong court and too much time had lapsed when that was discovered. Board Member Ingulli asked if the Board or Staff can be subpoenaed and Building Official Grasso stated himself or the person taking minutes can be subpoenaed. Chair Christensen asked if the Board interacts with the Town Council and Building Official Grasso stated they do not. He stated the Town Council will be updated on items that are approved, disapproved, or tabled by the Board.

Building Official Grasso stated there must be a quorum for a meeting to take place and stressed the importance of Board Members informing Staff if they cannot attend a scheduled meeting. He explained the vote would need a majority and in the case of a tie, the item would be considered denied. However, prior to a vote, the board has the option for the item to be tabled.

Chair Christensen stated the PowerPoint nailed all the pertinent information regarding board membership. He also mentioned the Open Meeting Law and stated it was very well covered. He advised the other Board members to read up on the law. He stated he has been down to the state to testify regarding the Open Meeting Law and it was not pleasant. He commended Building Official Grasso and Community Development Technician Vocca on the PowerPoint. Building Official Grasso clarified that Town Clerk, Kathy Bainbridge created the PowerPoint. He gave an example of the Open Meeting Law discussing the Town's volunteer appreciation event.

Board Member Bohall asked how e-mail falls into the Open Meeting Law and Community Development Technician Vocca explained you must not email the Board as a group. She stated if a Board Member has questions when the packet is emailed out, they can email her then she can relay information or clarifications to the Board.

Board Member Ingulli asked when an item would be discussed, whether it was before or after a motion was made. Building Official Grasso explained an item would be discussed, usually at length, then a motion

would be made on the item. Board Member Ingulli asked if it was okay to go to Building Official Grasso for more information before a meeting and Building Official Grasso stated yes.

Building Official Grasso brought up conflict of interest and explained how it could affect the Board if their property is an agenda item or if their neighbor or someone they know is an applicant.

Board Member deBlanc stated if Board Members want a visual, they can visit the site of the agenda item. Building Official Grasso confirmed it is best for the Board to go to the site because it helps them understand the project better seeing it in person. He stated the property will be posted so Board Members know exactly where to go. He also stated they need to ensure they do not converse with other Board Members at the site as part of the Open Meeting Law.

The Board and Building Official Grasso discussed public comments and how those are made and addressed by the Board.

Building Official Grasso stressed it will be important for the Board to understand each applicant/item must stand on its own merit and just because one applicant was approved and got a variance does not mean their neighbor will receive the same outcome.

BOARD ACTION: There was no board action on this agenda item.

7. **FUTURE AGENDA ITEMS:** Building Official Grasso explained this agenda item is for future items being brought to the Board of Adjustment or items that have been tabled. Chair Christensen asked if the Board runs into an item they feel needs legal advice, would they be able to table the item. Building Official Grasso stated that would be best but the Board would need to agree to table an item. Each Board Member's term was discussed. Vice Chair deBlanc addressed the issue with the meeting minutes from over a year ago being approved by new Board Members that were not in attendance at the prior meeting. He then suggested the Board meet every three or four months or before a Board Member's term is up so the minutes can be approved by the Board who attended the meeting. Building Official Grasso agreed.
8. **ADJOURNMENT:** Board Member Bohall motioned to adjourn the meeting. Vice Chair deBlanc seconded the motion. The motion passed unanimously. The meeting adjourned at 6:58 p.m.

APPROVED BY:

SUBMITTED BY:

Chairperson
Charles Christensen

Building Official
Paul Grasso

MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, OCTOBER 5, 2016, 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, October 5, 2016, at 6:30 p.m. in the Men’s Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

BOARD MEMBERS:

Chairperson	Laura Jones	Present
Vice Chairperson	Robyn Prud’homme-Bauer	Present
Board Members	Mike Garvey	Present
	Aaron Midkiff	Present
	Bill Snyder	Present

STAFF:

Community Development Director	Jodie Filardo
GIS/Planner II	Guss Espolt

Others in Attendance:

John & Colleen Tobias
Steve Biasini
Bill & Lori Bullock

- AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:30 p.m.
- AGENDA ITEM: ROLL CALL:** The GIS/Planner II called roll.
- 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.**

No public comment.
- AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of August 3, 2016.** Board Member Midkiff motioned to approve the **Regular Meeting Minutes of August 3, 2016.** Vice Chair Prud’homme-Bauer seconded the motion. The motion passed unanimously.
- AGENDA ITEM: REPORTS:**

Chairperson and Member Report: Chair Jones gave information regarding One for the Verde events at Blazin' M, October 18th for \$15.00 as well as Ride the River.

Staff Report Updates: UVSP presentation on October 11th at 6:00 p.m.

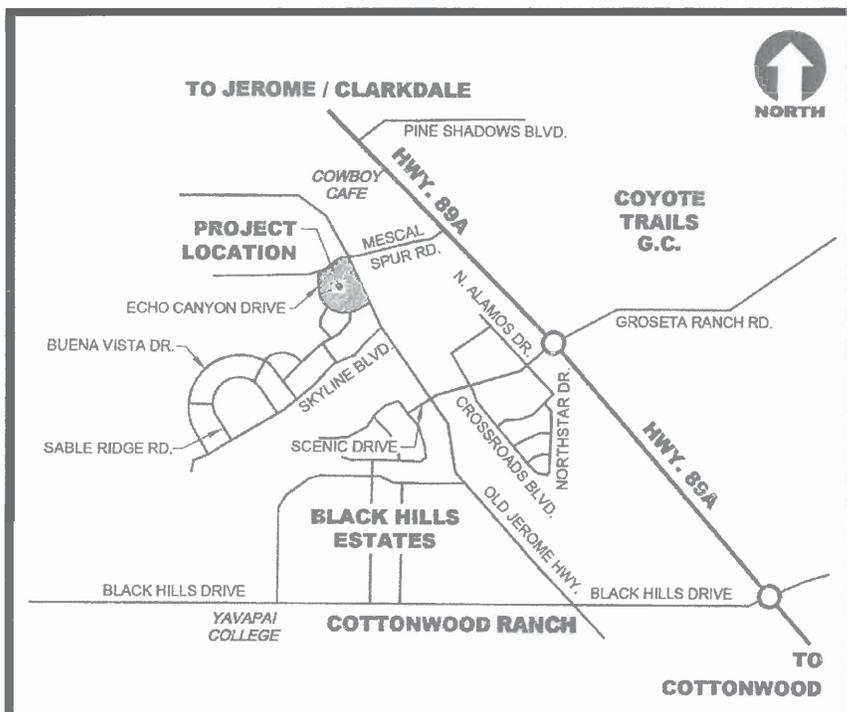
6. NEW BUSINESS:

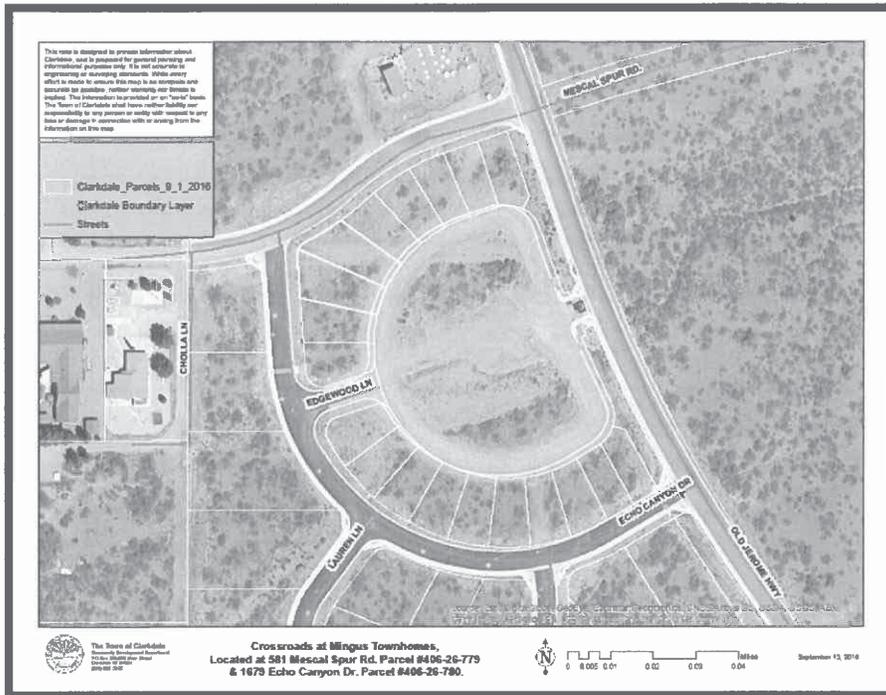
- a. **WELCOME NEW BOARD MEMBERS:** Staff welcomed Mr. Bill Snyder to the Board who previously served from 1987-1993.
- b. **ELECTIONS:** Vice Chair Prud'homme-Bauer motioned for Chair Jones to continue as Chair and Board Member Midkiff to be elected to Vice Chair. Board Member Garvey seconded the motion. The motion passed unanimously.
- c. **CONSIDERATION AND POSSIBLE ACTION DRB #0913336:** Discussion/possible action regarding an application for design review of proposed Crossroads at Mingus Townhomes located at 581 Mescal Spur Road, Parcel #406-26-779 and 1679 Echo Canyon Drive, Parcel #406-26-780.

STAFF REPORT

Background:

Mr. John Tobias has submitted an application to Design Review for proposed Crossroads at Mingus Townhomes, located at 581 Mescal Spur Rd. Parcel #406-26-779 & 1679 Echo Canyon Dr. Parcel #406-26-780. The property is zoned (PAD) Planned Area Development.





The applicant is requesting design review approval for two common wall townhome units. All homes will be built on a pre-sold basis. These parcels are each .11 acres in size. The parcels are located in the Crossroads at Mingus Subdivision on the west side of Old Jerome Highway. All of the site work, utilities, grading and drainage for the lots were completed as a part of the subdivision final plat on May 12, 2011 as a whole and the lots are ready to use. The townhomes will be landscaped with native plants and trees from the Town-approved plant list. The lighting on all townhomes will be fully shielded per Town Code. One of the homes, to be built on 1679 Echo Canyon Dr. Parcel #406-26-780 is currently awaiting construction pending Design Review approval. Applicant will submit building exterior plans and colors for each new building, as they are sold, to the staff for confirmation of general compliance with the project’s design.

The following topics are presented from the application.

Landscaping Summary:

Landscaping includes 59 assorted trees, and 37 assorted shrubs. Landscaping will be used to screen the site from the nearby neighbors.

TREES: Twelve (12) Cupressus Arizonica –AZ Cypress. Twenty-seven (27) Gleditsia Sunburst – Honeylocust, thornless. Five (5) Chiliopsis Linearis – Desert Willow. Seven (7) Prosopis Chilensis – Mesquite. **SHRUBS & BUSHES:** Seven (7) Prosopis Chilensis – Mesquite. Twenty-six (26) Arctostaphylos Manzanita – Manzanita. Fourteen (14) Juniperus Sabina – Sabins Juniper. (See attached master planting plan DRB3 & DRB4 and Plant List).

Gravel:

The gravel will be ¾” minus granite, gold in color to be spread 1-1/2’ thick. (See attached master planting plan DRB3 & DRB4 and the Gravel example sheet).

Driveway and Walkway:

The driveways and walkways will vary in design from building to building: plain concrete for the drive and colored for the walks or stamped for the drive and exposed aggregate for the walks, colored for the drive and stamped for the walk, or exposed aggregate for the drive and skip troweled for the walk, pavers, bricks. (See attached master planting plan DRB2).

Paint Colors:

Duplex #1 Field colors: Sherwin-Williams Stone Lion, SW 7507. Trim Color: Sherwin-Williams Adaptive Shade, SW 7053. **Duplex #2 Field colors:** Sherwin-Williams Netsuke, SW 6134. Trim Color: Sherwin-Williams Well-Bread Brown, SW 7027. **Duplex #3 Field colors:** Sherwin-Williams Craftsman Brown, SW 2835. Trim Color: Sherwin-Williams Dover White, SW 6385. **Duplex #4 Field colors:** Sherwin-Williams Cascade Green, SW 0066. Trim Color: Sherwin-Williams Adaptive Shade, SW 7053. (See attached elevations and color palette #1, #2, #3, and #4).

Stone Veneer:

Duplex #1 Stone Veneer: Coronado Stone Quick Stack, Costal Brown. **Duplex #2 Stone Veneer:** Coronado Stone Eastern Mountain Ledge, Dakota Brown. **Duplex #3 Stone Veneer:** Coronado Stone Eastern Mountain, Chablis. **Duplex #4 Stone Veneer:** Coronado Stone Quick Stack, Aspen. (See attached elevations and color palette #1, #2, #3, and #4).

Roof:

Duplex #1 Roofing: Boral Saxony 900 Shake, Toffee. **Duplex #2 Roofing:** Boral Saxony 900 Shake, Brown Blend. **Duplex #3 Roofing:** Boral Saxony 900 Shake, Hickory. **Duplex #4 Roofing:** Boral Saxony 900 Shake, Charcoal Blend. (See attached elevations and color palette #1, #2, #3, and #4).

Lighting:

Each townhome will have 5 fully shielded fixtures. (See attached 04_Lighting and shielding cut sheets).

Staff Analysis

Purpose and Applicability of Design Review

Zoning Code Chapter 11, Section 11-1 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.

1. **ARCHITECTURAL MERIT:** *The architecture and design shall be visually compatible with the buildings, structures and places to which it is related.* Application complies.
2. **PROPORTION:** *The relationship of the width of the building or structures to its height shall be visually compatible with the buildings, structures and places to which it is related or shall be maintained as original whenever feasible.* Application complies.
3. **OPENINGS:** *The relationship of the width of the windows and doors, to the height of windows and doors in the building shall be visually compatible with buildings, structures and places to which it is related.* Application complies.
4. **PATTERNS:** *The relationships of solids to voids in a facade of a building or structure shall be visually compatible with buildings, structures and places to which they are related.* Application complies.
5. **SPACING:** *The relationship of the building to the open space between it and the adjoining buildings shall be visually compatible to the buildings, structures and places to which it is related.* Application complies.
6. **ENTRANCES, PORCHES AND PROJECTIONS:** *The height, projection, supports and relationship to streets and sidewalks, of entrances, porches, awnings, canopies and balconies of a building shall be visually compatible to the buildings, structures and places to which it is related.* Application complies.
7. **MATERIAL, TEXTURE AND COLOR:** *The materials, textures and colors of the façade of a building shall be visually compatible with the predominant materials, textures and colors used in the buildings and structures to which they are related.* The town homes are Craftsman style, painted stucco texture with various veneer and roofing colors. Application complies.
8. **ROOFS:** *The roof shape and materials of a building shall be visually compatible with the buildings to which they are related.* The proposed shake is a lightweight cement or clay manufactured roof tile. Application complies.
9. **ARCHITECTURAL DETAIL:** *Doors, windows, eaves, cornices and other architectural details of a building or structure shall be visually compatible with buildings and structures to which they are related.* Application complies.
10. **ACCESSORY FEATURES:** *Garages, carports, sheds, enclosures, walkways, stairways, and landings shall be visually compatible with buildings and structures to which they are related.* Application complies.
11. **LANDSCAPING:** *Landscaping shall be visually compatible with the landscaping around the buildings, structures and places to which it is related.* Landscaping includes 59 assorted trees,

and 37 assorted shrubs. The proposed landscaping is in compliance with Landscape Design Standards, Chapter Nine of the Town of Clarkdale Zoning Code. **TREES:** Twelve (12) Cupressus Arizonica – AZ Cypress. Twenty-seven (27) Gleditsia Sunburst – Honeylocust, thornless. Five (5) Chiliopsis Linearis – Desert Willow. Seven (7) Prosopis Chilensis – Mesquite. **SHRUBS & BUSHES:** Seven (7) Prosopis Chilensis – Mesquite. Twenty-six (26) Arctostaphylos Manzanita – Manzanita. Fourteen (14) Juniperus Sabina – Sabins Juniper. Application complies.

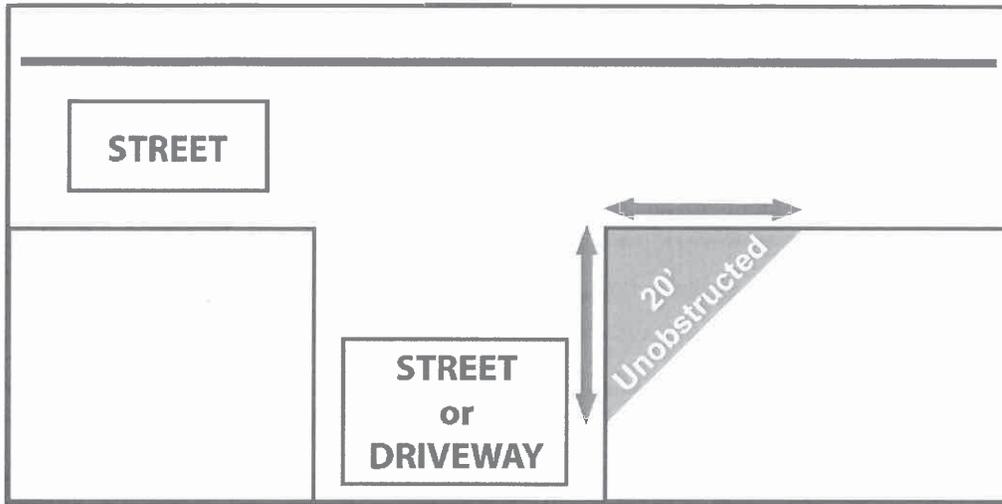
- 12. LIGHTING:** *Any on-site illumination shall be architecturally compatible to the overall project and not create a negative or visually detrimental effect on the building or neighboring properties.* Based on Town Zoning Code, this project qualifies for a total of 11,000 lumens per parcel. Lighting on each parcel will be minimal. Each townhome will have 5 fully shielded fixtures not to exceed 300 watts total and 4,500 lumens. The 4,500 proposed lumens for each parcel leaves a total of 6,500 lumens unused on each .11 acre lot. Application complies.

Zoning Code Chapter 9, Section 9-5 Irrigation and Maintenance:

- 1. Irrigation and Maintenance:** *Landscape areas of 2,000 square or more shall have an irrigation system sufficient to irrigate all areas having live landscape plants.* Each parcel equals 4,791.6 square feet each. Applicant has proposed a sprinkler system with 40’ of hard PVC pipe, 5” flex laterals, 1-3 emitters per plant. Applicant will place all valves in valve boxes at grade, including a 6” deep pea gravel sump below each valve. Applicant will also provide SCH.40 PVC 2.5” sleeves for both wire and pipe with extra at each pavement crossing, and will bury sleeves a least 24” B.F.G. (below finished grade). Applicant will also place emitters 1” above dirt grade, in planting wells. Application complies.

Zoning Code Chapter 9, Section 9-6 Restricted Planting Areas:

- 2. At the intersection of a street and a driveway a triangle measuring twenty (20) feet along the curb line or roadway edge and the edge of the driveway from the point of intersection, and connecting diagonally, must be left unobstructed.** Applicant has a proposed 30’ foot visual clearance. Application complies.
- 3. Landscape materials shall not exceed a height of thirty-six (36) inches above the grade of the roadway or driveway within the site distance triangle.** Applicant has proposed no plants within the sight triangle. Application complies.
- 4. Trees in the site distance triangle shall have a minimum eight (8) feet of clearance between the lowest limbs of the tree and the roadway.** Applicant has proposed no trees within the sight triangle. Application complies.



Staff Detailed Recommendations:

Staff has determined the Application complies with all code requirements and recommends approval of **DRB-091336 PTM Enterprises Crossroads at Mingus** with the following stipulations of approval:

1. The building shall be constructed and shall be installed as reviewed and approved by the Design Review Board and as inspected by the Building Official.
2. All contractors shall have a current business license with the Town of Clarkdale.
3. Any changes to the design approved by DRB shall be reviewed and approved by the Director of Community Development prior to implementation who may determine the application needs to return to the Design Review Board for review and approval.
4. All lighting, landscaping and related systems as installed shall comply with Town Code.
5. EPA Water Sense concepts shall be incorporated into the irrigation system. A plan for decommissioning of irrigation system after the drought tolerant landscaping has been established shall be submitted.

Possible Motions:

I move to approve application DRB-091336 with the stipulations proposed by staff.

I move to approve application DRB-091336 with the stipulations proposed by staff with the following changes/additions:

I move to postpone action on DRB-091336 until a specific date and direct staff and/or the applicant to provide the following:

I move to deny the application for DRB-091336 based on the following specific reasons:

END OF STAFF REPORT

Questions to Staff / Applicant:

Steve Biasini, Project Manager, stated Option #1 would be built presenting a palette of options shown and each build would be reviewed at staff level unless it differs too much, then the designs would be brought back to DRB. Board Member Prud'homme-Bauer stated she had an issue with the driveways and vehicles backing onto Mescal Spur. Mr. Biasini stated it would be looked into to create combined driveways on the tri-plex units.

Public Comment: None

BOARD ACTION: Board Member Prud'homme-Bauer moved to approve the application for Crossroads at Mingus with the following recommendations by staff:

1. The building shall be constructed and shall be installed as reviewed and approved by the Design Review Board and as inspected by the Building Official.
2. All contractors shall have a current business license with the Town of Clarkdale.
3. Any changes to the design approved by DRB shall be reviewed and approved by the Director of Community Development prior to implementation who may determine the application needs to return to the Design Review Board for review and approval.
4. All lighting, landscaping and related systems as installed shall comply with Town Code.
5. EPA Water Sense concepts shall be incorporated into the irrigation system. A plan for decommissioning of irrigation system after the drought tolerant landscaping has been established shall be submitted.

Board Member Snyder seconded the motion to approve. The motion passed unanimously.

7. **FUTURE AGENDA ITEMS:** Board Member Prud'homme-Bauer will not be present at November meeting.
8. **ADJOURNMENT:** Vice Chair Midkiff motioned to adjourn the meeting. Board Member Prud'homme-Bauer seconded the motion. The motion passed unanimously. The meeting adjourned at 7:07 p.m.

APPROVED BY:

SUBMITTED BY:

DRAFT

***Design Review Board
October 5, 2016***

Chairperson
Laura Jones

GIS/Planner II
Guss Espolt

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON TUESDAY, OCTOBER 18, 2016 IN THE MEN’S LOUNGE, 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, October 18, 2016 at 4:00 p.m., in the Men’s Lounge, Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chair	Ida-Meri deBlanc	Present
Vice Chair	John Erickson	Present
Commissioners	Jorge Olguin	Present
	Craig Backus	Present
	Deborah Hunseder	Present

Staff:

Community Development Director	Jodie Filardo
Senior Planner	Beth Escobar
Community Development Technician	Stephanie Vocca

Others in Attendance:

None

1. **CALL TO ORDER:** Chair deBlanc called the meeting to order at 3:59 p.m.
2. **ROLL CALL:** Director Filardo called the roll.
3. **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. **MINUTES:**

- a. Consideration of the **Special Meeting Minutes of September 20, 2016.**

Commissioner Olguin moved to approve the Special Meeting Minutes of September 20, 2016. Commissioner Hunseder seconded the motion. The motion passed unanimously.

- b. Consideration of the **Regular Meeting Minutes of September 20, 2016.**

Commissioner Hunseder moved to approve the Regular Meeting Minutes of September 20, 2016. Commissioner Erickson seconded the motion. The motion passed unanimously.

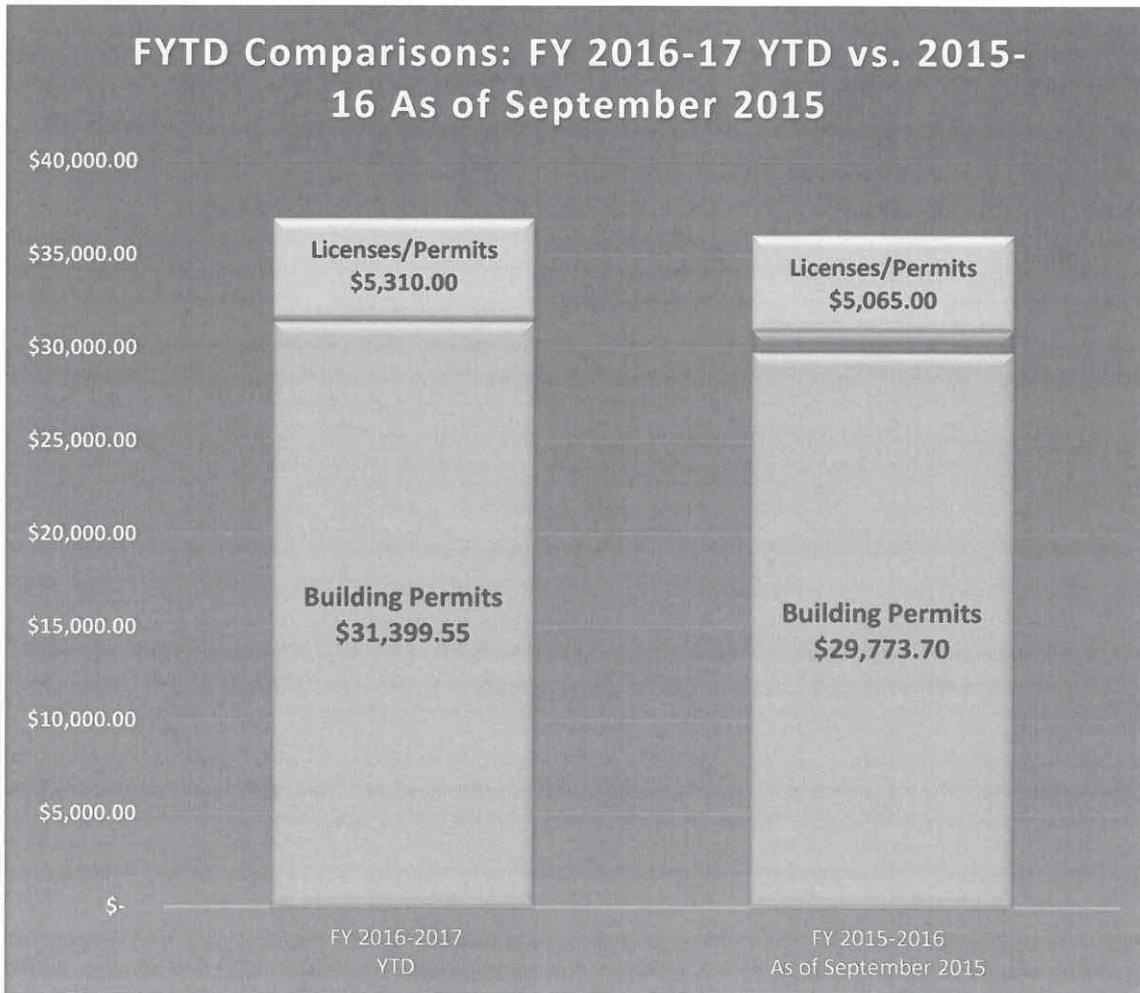
5. **REPORTS:**

Chairperson Report – Chair deBlanc had nothing to report but stated once again she is thrilled to be living in Clarkdale. Commissioner Hunseder informed the Commission and staff of the

Howl-O-Ween event on Saturday, October 29th. She stated the need for volunteers if anyone on the Commission would like to sign up.

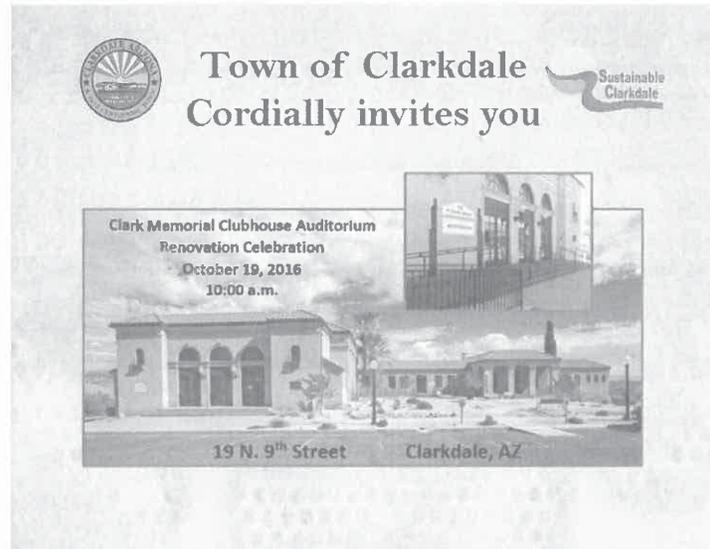
Director's Report – Community Development Director Filardo had nothing to report. Commissioner Olguin asked if the targets for building permits and licenses were for the entire fiscal year and Community Development Director Filardo confirmed the targets are for the fiscal year.

- 1. **Metrics as of September, 2016 – FY Targets:
\$50,000 Building Permits, and \$6,500 Licenses/Permits**



2. **Upcoming Clarkdale Events –**
19OCT16 – 10 AM Re-dedication of the Clark Memorial Clubhouse to celebrate the completion of the new bathrooms in the Auditorium, the replacement of the front doors plus the new ADA ramp out front

21OCT – Verde Valley Regional Economic Organization Annual Speaker Series – Success in Action, 7:30 AM – 10:30 AM, Clark Memorial Clubhouse Auditorium, \$35 per ticket, RSVP to vvreo.com



Annual Speakers Series
"The Verde Valley –Success in Action"
Economic State of the Region
Featuring
Jim Rounds, Rounds Consulting Group

October 21, 2016
7:30 AM –10:30AM
Clark Memorial Clubhouse, Clarkdale
19 No. Ninth Street, Clarkdale Az

\$35.00/Person — Sponsorships Available
Register online @www.vvreo.com
For more information: administrator@vvreo.com
Facebook: [verdevalleyregionaleconomicorganization](https://www.facebook.com/verdevalleyregionaleconomicorganization)



29OCT16 – HOWL-o-WEEN in Town Park from 10 AM – 1 PM. Check out www.ClarkdaleDog.com for more details.

31OCT16 – Safe Trick-or-Treating from 5-7 PM in Upper Clarkdale



3. **Permits Issued.**

New deck at 671 Cliffside Drive

New single family residence at 1440 West Foy Drive

Fence at 1430 E. Foy Drive

Room addition at 460 Celestial Drive

3.4 KW photovoltaic solar electric at 2200 Windy Street

Deck at 2161 Old Jerome Highway

3.4 KW photovoltaic solar electric at 2200 Windy Drive

Extension to existing rear patio at 1408 First North Street

Re-roof at 400 Celestial Drive

Accessory structure at 890 Main Street (Eagle Scout project)

Re-roof at 49 North 9th Street (Clarkdale Police Department)

Plumbing at 890 Main Street (bath vanity / sink faucet replacement)

6.3 KW photovoltaic solar electric at 2061 Windy Street

4. **Planning updates.** Staff met with Jeff Hayes, Rural Development Coordinator for USDA to discuss the Bitter Creek Industrial Area Road extension project. Mr. Hayes provided staff with a variety of alternatives to achieve funding to extend Town right-of-way from Broadway to Phoenix Cement Road and the SR 89A roundabout at Clarkdale Parkway through the industrial area. Staff is putting together a project management spreadsheet for this portion of the Bitter Creek Industrial Focus Area Plan. Mr. Hays and staff also met with property owners interested in building multifamily units in Clarkdale. Mr. Hays shared a wide array of financing options and opportunities that may accommodate such housing types.

On an unrelated note, Mr. Hayes informed staff that USDA is working with Habitat for Humanity in restructuring Habitat’s funding mechanisms for new homes. This restructuring will increase the number of new homes Habitat can build. As a result, they are looking for suitable properties in the area.

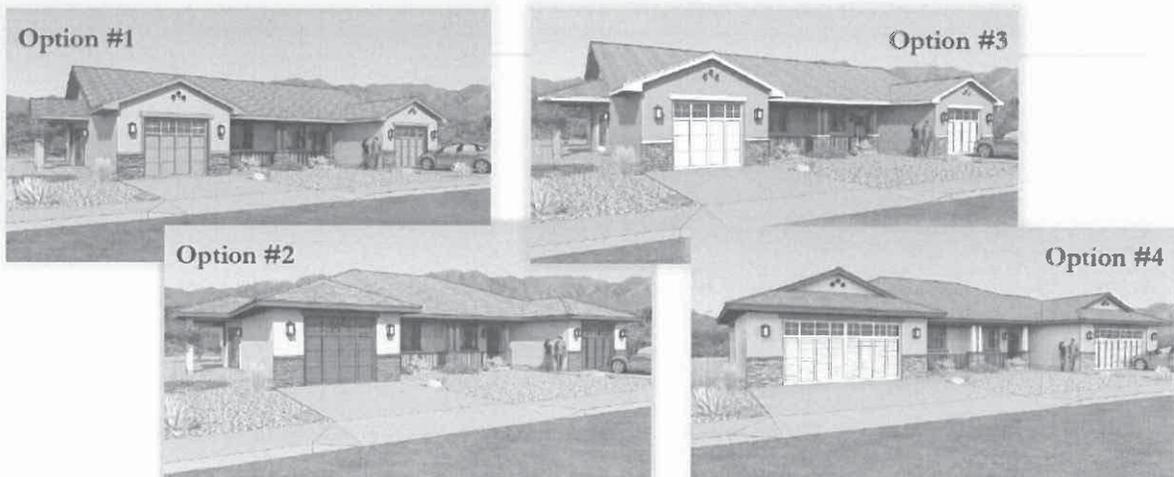
On September 12 staff received a two-page email from a member of the Arizona Farm Bureau expressing concerns about our draft Agricultural Uses Ordinance. Staff has asked our Town attorney to research some of the points in the email. Per direction from the Town Attorney, the public hearing for the draft agricultural ordinance scheduled for September 20th has been cancelled to allow further examination of possible legal ramifications. The item will be rescheduled for consideration on a future date. The Town Attorney is working on a written response to the email received from the Arizona Farm Bureau regarding the proposed agricultural uses ordinance. We hope to receive this early next week and be able to schedule the continued public hearing at the October 18 Planning Commission meeting.

Staff met with the Town Clerk to discuss digitizing the permanent record files. A process has been established and the project will begin in October. Staff is hoping to get a volunteer to work on prepping the paper files for scanning. This project will result in a permanent electronic record of any development related activity for properties within Clarkdale. The paper files would be moved from the CDD office area to somewhere else on the Town campus.

October is National Community Planning Month which is launched with the American Planning Associations announcement for annual Great Places in America awards. For information on this year’s winners, visit the website at [American Planning Association](http://AmericanPlanningAssociation.org).

Staff had a booth at Saturday’s Blues Festival to garner feedback on the draft Focus Area plan for the Bitter Creek Industrial Area.

Design Review Board updates. On October 5, 2016 the Clarkdale Design Review Board approved application DRB-091336 the Board for PTM Enterprises Crossroads at Mingus Townhomes with the following five recommendations by staff.



1. The building shall be constructed and shall be installed as reviewed and approved by the Design Review Board and as inspected by the Building Official.
2. All contractors shall have a current business license with the Town of Clarkdale.

3. Any changes to the design approved by DRB shall be reviewed and approved by the Director of Community Development prior to implementation who may determine the application needs to return to the Design Review Board for review and approval.
4. All lighting, landscaping and related systems as installed shall comply with Town Code.
5. EPA Water Sense concepts shall be incorporated into the irrigation system. A plan for decommissioning of irrigation system after the drought tolerant landscaping has been established shall be submitted.

5. **Marketing. 2017 Events and Outreach.** Already organizations throughout Arizona are requesting the 2017 calendar of events for Clarkdale. At Tuesday night’s CDBA meeting, the first draft was released to the group with a follow-up email to Community Services for their review and feedback. Recipients of the list will include the Verde Independent, Larson Newspaper outlets, AAA, Arizona Office of Tourism, Sedona Verde Valley Tourism Council, the Arizona Drive Guide, Arizona Highways, and the Phoenix Magazine. For your viewing pleasure, here’s the current draft of happenings for the next calendar year.

2017 Clarkdale Fun		ExperienceClarkdale.com	
Taste the Passion promo	J	11 - Clubhouse Dance	F
7—Liberty Wildlife on Train	A	25 - Liberty Wildlife at Train Depot	E
14—Clubhouse Dance	N	17-19 - Chocolate Lovers' Train	B
21—Liberty Wildlife at Train Depot	M	The Wine Wander promo	A
Still Making History promo	A	1—Liberty Wildlife on Train	P
3—2017 SciTech EXPO	R	8—Historic Home Tour & Bank Robbery Re-enactment	R
4—Concert at Yavapai College		15—Clubhouse Dance	
11—Lion's Car Show and Chili Cook-off		15—Liberty Wildlife at Train Depot	
11—Clubhouse Dance			
18—Liberty Wildlife at Train Depot			
Small Town, Big Adventure promo	M	17—Starlight Ride on Train	J
13-14—Verde Valley Wine Festival	A	30—Block Party	U
19—20—Dance in AZ	Y	Concerts in the Park	N
20—Night at the Museum			
24—Block Party			
1—Firecracker Express on Train	J	5—Liberty Wildlife on Train	A
4—Old Fashioned Fourth	U	19—Starlight Ride on Train	U
28—Block Party	L	26—Liberty Wildlife at Train Depot	G
Concerts in the Park		Concerts in the Park	
2—Liberty Wildlife on Train	S	7—Clarktoberfest	O
14—Starlight Ride on Train	E	14—Blues Fest	C
14—Poker Stroll	P	28—Howl-O-ween	T
Concerts in the Park		31—Halloween	
		Ales on Rails—Thursday thru Sunday	
4—Liberty Wildlife on Train	N	1—Made in Clarkdale Gala	D
18—Liberty Wildlife at Train Depot	O	2—Santa comes to Clarkdale	E
30—Made in Clarkdale opening	V	14—Caroling in Town Park	C

6. **Clarktoberfest 2016.** Another successful event is on the books with the Clarkdale Downtown Business Alliance collecting \$5,500 in beer receipts for the event which is about at similar levels to those of 2015. In addition, Main Street bars and restaurants were full. Everyone appeared to have a great time, and no incidents related to the event were reported to the event organizers. Based on this year’s event, some logistics changes are in the works for next year to attempt to better manage the need for electricity. The next CDBA event is HOWL-o-ween on October 29th from 10 AM – 1 PM in Town Park.

7. NACOG Economic Development Council meeting. Director Filardo chaired Thursday's meeting of the EDC on October 6th in Flagstaff. At that meeting, Cottonwood presented a request for funding from the Economic Development Authority for \$2.43 million in upgrades to existing roadway and streetscape for Historic 89A from the intersection at the Bypass all the way to Old Town Cottonwood. The EDC approved the application to move on to the next step with the NACOG Regional Council. In addition, Eric Marcus, the Executive Director with the Sustainable Economic Development Initiative presented organization updates to the Council, including specifics about the SEDI microloan program. The program, named Dollars for Dreams offers up to \$5,000 for new ideas for a 2 year term at 3.5% interest. Over 60% of their current clients are women or minority-owned businesses. Collateral is not required.

END DIRECTOR'S REPORT

6. NEW BUSINESS:

- a. **ELECTION:** Commissioners will nominate and elect a Chair and Vice Chair.

Discussion:

Chair deBlanc opened the floor for discussion and asked if anyone on the Commission was interested in the roles or would like to nominate a fellow commissioner. Commissioner Erickson asked if Commissioner Backus was interested in being Chair or Vice Chair. Commissioner Backus stated he was fine continuing with Chair deBlanc and Vice Chair Erickson in their roles as long as Chair deBlanc was comfortable with that. Chair deBlanc stated it is important for the Chair and Vice Chair to attend all meetings and it will continue to work for her to be the Chair. Vice Chair Erickson stated he enjoys his position as the Vice Chair.

Commission Action:

Commissioner Olguin made a motion to continue with existing officers. Commissioner Hunseder seconded the motion. The motion passed unanimously.

- b. **WORKSESSION: DISCUSSION/POSSIBLE ACTION:** Discussion/possible action regarding adopting zoning regulations allowing for the transfer of development rights.

Senior Planner Escobar gave a PowerPoint presentation on Transfer of Development Rights.

Discussion:

Senior Planner Escobar gave an example of transfer of development rights (TDR) using the Selna/Mongini properties in the 89A Focus Area plan. In this example she stated the TDR would create a viable commercial piece of property and a property that is all R1 zoning and in exchange the Town would receive a dedicated open space easement. Chair deBlanc asked if the TDR is only for two different property owners and Senior Planner Escobar stated a TDR could be for the same or different owners and in the example she gave, Selna/Mongini are the owners of both pieces of land. She stated staff's perspective is that they will need a lot of legal advice for the ordinance so it does not allow for speculation and the Town doesn't lose control or undermine existing zoning and the General Plan.

Commissioner Hunseder asked if a TDR would be conditional. Senior Planner Escobar stated a TDR is considered a zone change so it would go to the Commission and Town Council in public hearing and

conditions could be attached to the approval. She stated the Commission could also require certain standards for development in the process.

Commissioner Olguin stated the legal aspects are not going to be small and asked Senior Planner Escobar what will be the most critical legal aspect. Senior Planner Escobar stated because the Town is in the state of Arizona, Prop 207 is in place which states the Town cannot diminish a property owner's value. She stated someone could do a TDR and come back and say "This didn't work for me now I am going to sue the Town". Commissioner Backus asked if neighboring property owners would have any say if it was going to diminish their property values and Senior Planner Escobar stated Prop 207 only protects the properties involved, not the properties affected. She stated the neighboring property owners would have a say during the public process of a zone change.

Commissioner Backus asked if staff sees the TDR as a one-time occurrence pertaining to the Selna/Mongini property or if TDRs could be used in other areas of the Town. Senior Planner Escobar stated the Broadway corridor has commercial pockets surrounded by large lot residential and the development of the commercial pockets has not been widely endorsed. She stated the Broadway corridor could see a possible TDR. Vice Chair Erickson asked how a TDR would affect the Arts & Entertainment District as well as 10th street. Senior Planner Escobar stated changes made in this district would probably be rezones and not TDRs.

Vice Chair Erickson asked if a TDR ordinance is needed at this time. Senior Planner Escobar stated the discussion came at a stakeholders meeting for the 89A Focus Area Plan and Mr. Selna expressed concern because he has property all along the corridor that has several challenges. Senior Planner Escobar clarified there has been a specific request but not a formal application.

Commissioner Backus asked how a TDR would be beneficial when the properties were owned by two different people. Senior Planner Escobar gave an example from the City of Cottonwood regarding a connection to old 89A. She stated the TDR allows the town or city to get involved with the swap and make a project happen.

Vice Chair Erickson asked Senior Planner Escobar if she had done a TDR before and she stated she has not but she did some research and found that Peoria has done TDRs. Community Development Director Filardo explained that there are other types of rights that are entitlements on pieces of property. She gave an example from Cornville where there was a transfer of easements to Oak Creek in the area of Loy Road. A property owner gave ten acres of a conservation easement with the promise it would not be used for development and that gave them favorable tax benefits. She stated the TDR is a tool for valuing property in different ways and that it can be a very powerful tool. She stated it will be very important to make it a fully transparent, public process.

Vice Chair Erickson stated this will be a lot of work for staff but the Town should be prepared and have a TDR ordinance in place just in case. Senior Planner Escobar stated Council will not be surprised if the Commission directs staff to work on the ordinance. Commissioner Olguin stated the TDR seems to be very complex but it is something he can see being utilized in the foreseeable future. He stated if the Town has a need for it, it should be ready to go like a tool in a toolbox that you do not use often but when you need it, it is there. Senior Planner Escobar stated staff is looking for the Commission to give direction to move forward to the next step on working towards identifying funds for legal advice. Commissioner Hunseder asked if it would be possible to get a representative from Peoria to come to the Town so the Commission could speak with them about what worked, didn't work, etc. Commissioner Backus stated they could also give an estimate of legal fees.

Commission Action:

The Commission directed staff to move forward with drafting an ordinance for Transfer of Development Rights.

7. FUTURE AGENDA ITEMS:

Senior Planner Escobar stated staff hoped to have the agricultural uses ordinance on the November agenda with attorney comments. She stated staff had several discussions with the town attorney who is drafting notes on the ordinance.

8. ADJOURNMENT

a. Vice Chair Erickson moved to adjourn the meeting. Commissioner Olguin seconded the motion. The meeting was adjourned at 4:35 p.m.

APPROVED BY:

SUBMITTED BY:

Ida deBlanc
Chairperson

Stephanie Vocca
Community Development Technician

**MINTUES OF A REGULAR MEETING
OF THE COMMUNITY SERVICES COMMISSION
OF THE TOWN OF CLARKDALE**

A Regular Meeting of the Community Services Commission of the Town of Clarkdale was held on Wednesday, October 12th, 2016, at 6:00 p.m. in the Clark Memorial Clubhouse Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

Chairperson: Peter Curé
Vice Chairperson: Ben Kramer
Commissioners: Carol Engert
Trish Gomez
Lynda Zanolli
(Vacant)

Absent: Krysta Dehnert

Town Staff:
Community Services Administrative Assistant II: Joni Westcott
Community Services Supervisor: Dawn Norman
Town Manager: Gayle Mabery

AGENDA ITEM: CALL TO ORDER - Chairperson Peter Curé called the meeting to order at 6:01 pm.

AGENDA ITEM: PUBLIC COMMENT – There was no public comment.

AGNEDA ITEM: INFORMATIONAL REPORTS

CHAIRPERSON'S REPORT – A report from the Chairperson on current events.

There was no information to report.

STAFF REPORT – A report from the Community Services staff on current events.

Community Services Supervisor Norman reported the following:

- **2nd Annual NAZBA International Blues Competition** was held on Saturday, October 8th. The weather was challenging throughout set-up and at 1pm the lightening drew near causing staff to clear the park delaying the event approximately 45 minutes. Regardless of the weather, the event drew approximately 450 people throughout the event.

Supervisor Norman thanked:

- Northern Arizona Blues Alliance (NAZBA) for the opportunity to be a part of the event
- Event Sponsors: 4-8 Wineworks, Grand Canyon Brewery, THAT Brewery and 10-12 Lounge
- Vendors – Clarkdale Market, Clarkdale-Lions Club, and Annie Thing Goes Food Truck

Proceeds from the event were generated from the beer/wine sales and a 50/50 raffle and were split 60/40 between Community Services and NAZBA. Community Services Supervisor reviewed the totals with the Commission:

BLUES COMPETITION		
	2016	2015
Attendance	450	350
Beer/Wine Sales	\$ 1,874.00	\$ 1,350.00
50/50 Raffle	\$ 318.00	\$ 284.00
Expenses	\$ 938.92	\$ 717.62
Net Proceeds for Community Services	\$ 773.75	\$ 549.83

- **Halloween 2016** – Solicitation letters for donations were mailed out at the end of September. Candy and monetary donations are starting to come in. Resident packets were delivered to the upper Clarkdale residents on Main, First South and First North on Thursday, October 6th. Staff held a pre-event meeting with Public Works, Police and Verde Valley Fire District to discuss operations for the upcoming event.

Community Services Administrative Assistant Westcott reported the following:

- **United Verde Soil Program** is hosting an Open House event in the Clubhouse Auditorium on Tuesday, October 18th from 5-7 pm. It is a public information event with food and refreshments.
- **Clubhouse Renovation Celebration** will take place on Wednesday, October 19th at 10:00 am at the Clark Memorial Clubhouse auditorium which coincides with the Clarkdale Historical Society and Museum's first monthly historical tour of the season. This is the exact same date the building was celebrated with a grand opening 89 years ago. There will be a ribbon cutting ceremony to recognize the ADA upgrade project that brings newly renovated restrooms and an ADA accessible ramp entrance to the building.

AGENDA ITEM: MINUTES - Discussion and consideration of the minutes of the Regular Meeting held on September 14th, 2016.

Vice Chairperson Kramer motioned to approve the Regular Meeting minutes for September 14th, 2016, Commissioner Zanolli seconded the motion. The motion passed unanimously.

NEW BUSINESS:

With no objection Chairperson Curé motioned to begin with agenda item 7. Worksession : A presentation and worksession to prepare for the Joint Worksession with Town Council on October 25, 2016.

AGENDA ITEM: WORKSESSION: A worksession to prepare for the Joint Worksession with Town Council on October 25, 2016.

At the August 10, 2016, Community Services Commission Meeting, the Commission requested to hold a joint worksession with the Clarkdale Town Council to discuss the Community Services Department's priorities and the future of the Clark Memorial Library.

In September, the Commission held a worksession to review and discuss talking points to include in the presentation made to Council. Chairperson Cure', Vice Chairperson Kramer and Commissioner Zanolli volunteered to work with Staff to prepare the presentation based on the Commission's selections and to present to Council on October 25th.

Following a presentation by Chairperson Cure', Vice Chairperson Kramer and Commissioner Zanolli to the remaining commissioners there was an open discussion regarding a few minor changes to streamline the presentation with the primary focus to be on the top priorities and the lack of current staff resources to operate those priorities.

Overall, commissioners were complimentary and felt it is a solid presentation that represents the work they have been doing over the past few months.

AGENDA ITEM: VERDE RIVER @ CLARKDALE – An update and review of August reports for the Verde River @ Clarkdale.

Supervisor Norman reported the following:

- **Special event permit** - A special event permit has been issued to Verde River Valley Nature Organization (VRVNO). On Saturday, October 22nd, 10am-3pm, they will be offering: Intro to Safe River Recreation. Cost is \$35/person. This is an introductory workshop on paddling the Verde River, equipment demonstration, evaluation of personal equipment, how to read river currents, paddle using a varied of strokes and basic river safety and rescue techniques.
- **Outfitters** - At the end of August, South by Southwest had a total of 156 guided permits remaining for the season. With the outfitter gaining momentum in their number of trips each month and in anticipation for another busy month, the Town gave the outfitter permission to use their unguided trip allocations to accommodate additional Guided capacity, if needed. In review of the remaining trip capacities, the outfitters will not reach near the total number of trips issued and will be well under the capacity limits set by Council. South by Southwest submitted their September report and utilized 28 of their unguided trips.

AGENDA ITEM: WORKSESSION: SMOKING IN PARKS AND RECREATION FACILITIES – A worksession to discuss smoking in Town parks, trails and recreation areas and associated improvements and areas owned, leased or otherwise acquired by or under the operation and supervision of Town of Clarkdale, Arizona (“Parks and Recreation Facilities”).

The Commission has been discussing the topic of smoking in Town parks, specifically, Clarkdale Town Park, Selna/Mongini Park, Centerville Park and Caballero Park. At last month's meeting, the Commission made the recommendation to Council to make all Town Parks smoke free, including tobacco, pipes, vapes and any other device producing a form of smoke that would affect others. Staff

had failed to include the Lower Tapco River Access Point, Big Springs Natural Area, and trails in these discussions.

The Commission began with a discussion regarding the inclusion of all parks and recreation facilities, including the Lower TAPCO River Access Point, the Big Springs Natural Area, trails and all future parks and recreation facilities. The Commission identified the risk of a fire hazard to our natural settings in addition to health concerns leading the Commission to make the recommendation to Council that all parks and recreation facilities as defined under Section 12-1-1 of the Park Ordinance be smoke free with no designated smoking areas.

AGENDA ITEM: FUTURE AGENDA ITEMS – Listing of items to appear on future agendas.

Review worksession with Council regarding direction on priorities

AGENDA ITEM: ADJOURNMENT

With no objection, meeting adjourned at 7:07 p.m.

APPROVED:

Peter Curé, Chairperson

SUBMITTED BY:

Administrative Assistant II, Joni Westcott

**MINUTES of a REGULAR MEETING OF THE PUBLIC SAFETY
PERSONNEL RETIREMENT BOARD OF THE
TOWN OF CLARKDALE,
HELD AT 4:30 P.M. ON WEDNESDAY, October 12, 2016 IN THE ADMINISTRATION
CONFERENCE ROOM, TOWN HALL, 39 N. 9TH ST., CLARKDALE, ARIZONA**

CALL TO ORDER – Meeting was called to order at 4:36 p.m. by Chair Bohall.

Board Members:	Chair	Curt Bohall
	Vice Chair	Ben Kramer
	Boardmembers	Tommy Nester
		Officer Mike Brundridge
		Sergeant Troy Smith

Staff Member: Mary Ellen Dunn, Board Secretary

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

PUBLIC COMMENT. The Local Board of the Public Safety Personnel Retirement System for the Town of Clarkdale invites the public to provide comments at this time. Members of the Board 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 shall be limited to directing staff to study 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 Board Secretary 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 Board. All items are approved with one motion. Any items may be removed for discussion at the request of any Board Member.

- A. APPROVAL OF MINUTES OF THE LOCAL BOARD.** Approval of the Minutes of the Regular Meeting held May 25, 2016.

Ben Kramer moved to approve Consent Agenda item A, Minutes from the Regular Meeting held May 25, 2016. Mike Brundridge seconded the motion. The motion passed unanimously.

NEW BUSINESS

APPROVAL AND ACCEPTANCE OF NEW BOARD MEMBERS. The local Pension Board approves and accepts Sergeant Troy Smith (incumbent) as the new Officer Member of the Local Pension Board for the terms expiring September 30, 2018, Tommy Nester, term expiring September 30, 2017, and Ben Kramer (incumbent), term expiring September 30, 2018.

Sergeant Troy Smith won by secret ballot for the position of Officer Member of the Local Board. The Citizen Members of the Board were approved by the Clarkdale Town Council on September 13, 2016. Tommy Nester and Ben Kramer (incumbent) were appointed with terms expiring September 30, 2017 and September 30, 2018 respectively.

Ben Kramer moved to approve and accept Sergeant Troy Smith (incumbent) as the new Officer Member of the Local Pension Board for the terms expiring September 30, 2018, Tommy Nester, term expiring September 30, 2017, and Ben Kramer (incumbent), term expiring September 30, 2018. Mike Brundridge seconded the motion which carried unanimously.

SELECTION OF VICE CHAIR. Local Board action and appointment of a Vice Chair to the Local Board.

Pursuant to Town of Clarkdale Model Uniform Rules of Local Board Procedure (C)(2), adopted on April 3, 2013, “the Chair may, in his/her absence, designate an alternate to act as Chair”.

Tommy Nester moved to designate Ben Kramer as a Vice Chair. Troy Smith seconded the motion and it passed unanimously.

BOARD REVIEW AND APPROVAL OF 2015 GSB ACTUARIAL REPORT. The 2015 annual actuarial report is reviewed and new rates accepted annually by the Board.

The State Board of Trustees requires that each year the Local Board review the most current annual actuarial report and formally accept the new rates.

Ben Kramer moved to accept the new rates determined by the System. Mike Brundridge seconded the motion which passed unanimously.

FUTURE AGENDA ITEMS – Listing of items to be placed on a future Board agenda.

ADJOURNMENT: Without objection Chair Bohall adjourned the meeting at 4:42 p.m.

Submitted by:

Approved by:

Mary Ellen Dunn, Secretary

Curt Bohall, Chair



Staff Report

Agenda Item: Request for Extension of the Financial Assurance Time Period for Wildhorse Acres Estates, a Minor Subdivision – Approval for a request for extension of the financial assurance time requirement for Wildhorse Acres Estates Minor Subdivision.

Staff Contact: Beth Escobar, Senior Planner

Meeting Date: November 8, 2016

Presented to: Town Council

Background:

Wildhorse Acres Estates is a four (4) lot minor subdivision located off of Wildhorse Lane and State Route 89A. Subsequent to Town Council approval, the minor subdivision was recorded on April 16, 2009. As platted, the subdivision will have an on-site community well to serve the four parcels. Each lot will have a septic system. The lots range from 43,367 to 43,567 in square footage and will be accessed by a cul-de-sac connecting to Wildhorse Lane. This cul-de-sac will be improved by the developer and dedicated to the Town upon acceptance.

The original recorded \$75,000 Irrevocable Line of Credit expired on December 16, 2010. From 2011 through 2015 Snowbird Red Rock Management, the owner of the minor subdivision, provided a renewed letter of credit. Council has granted an extension of the financial assurances through December 2016. The property owner is requesting an additional extension through to December 2017.

Section 12-4-5.D.10 of the Subdivision Regulations states:

'The duration of financial assurances shall be for thirteen (13) months, from the date of recording. Extension of time in one (1) year increments may be granted by the Council upon good cause. The assurance shall remain in force and effect until it is released by the Council or has been authorized for partial release as provided herein.'

The Council has the option to not approve the extension of credit and direct staff to initiate the revocation process per Section 12-1-10.A of the Subdivision Regulations:

'If no lots in a subdivision, for which a final map has been approved and recorded, have been sold within thirteen (13) months from the date of recordation and if all of the improvements have not been made within thirteen (13) months of recordation, the Council may, on its own motion, hold a public hearing after notice, to determine whether the approval and recording of such final map should be revoked. Such revocation shall be in accordance with the Arizona Revised Statutes.'



Staff Report

If the subdivision approval for Wild Horse Acres was revoked, the property would revert to one parcel and all subdivision entitlements for this property would be vacated. The property owner would have to re-apply for a subdivision. There have been no major changes in the area and no infrastructure improvements have been completed by the Town that would require connection to either the water or wastewater system.

Extension Request:

The property owners are requesting a one-year extension of the financial assurances for this Council approved plat stating:

'We are hopeful that this is the year that the market will attain levels sufficient to warrant moving forward with our project.'

Recommendation:

Staff recommends the Council approve the request to extend the time period for the letter of credit or direct staff to begin the process of revoking the subdivision.

Attachments:

1. Copy of the recorded plat
2. Copy of letter of credit



IRREVOCABLE STANDBY LETTER OF CREDIT NUMBER 600003935
AMOUNT: \$75,000.00
EFFECTIVE DATE: November 21, 2016
EXPIRATION DATE: November 21, 2017

ISSUING BANK:
STONEGATE BANK
301 Yamato Road, Suite 1111
Boca Raton, FL 33431

BENEFICIARY:
TOWN OF CLARKDALE
P.O. BOX 308
Clarkdale, AZ 86324

APPLICANT:
Snowbird Red Rock Management, LLC
951 SW 4th Avenue
Boca Raton, FL 33432

We hereby authorize you to draw on Stonegate Bank, 3850 North Federal Highway, Boca Raton, FL 33431 by order of TOWN OF CLARKDALE and for the account of SNOWBIRD RED ROCK MANAGEMENT, LLC up to an aggregate amount, in United States funds, of \$75,000.00 (SEVENTY FIVE THOUSAND DOLLARS AND 00/100) available by your drafts at sight.

Lender shall honor the draft submitted by the Beneficiary under the following terms and conditions.

Presentation of the original letter of credit and a certified letter signed by an authorized representative of the TOWN OF CLARKDALE, stating that subsequent to the date of this Letter of Credit, the Beneficiary has given notice to the Applicant that payment is due to be made to the Beneficiary; that the Applicant has failed to make such payment within ten (10) days of such notice, and that the Beneficiary has the right to draw on this Letter of Credit. The Issuer shall be entitled to accept a draft, and the documentation described above, from any person purporting to be an authorized officer or representative of the Beneficiary, without any obligation or duty on the part of the Issuer to verify the identity or authority of the person presenting the draft and such documentation.

Partial drawings shall not be permitted under this Letter of Credit and this Letter of Credit is non-transferable.

This Letter of Credit expires at the close of business at Issuer's address at 12:00 AM Eastern Standard Time on November 21, 2017. Issuer agrees to honor the Draft presented in strict compliance with the provisions of this Letter of Credit on or before the Expiration Date.

Draft must be drawn and negotiated not later than November 21, 2017.

Drafts must bear the clause: "Drawn under Stonegate Bank, Letter of Credit No.600003935, dated November 21, 2016."

This Letter of Credit sets forth in full the terms of our undertaking, and such undertaking shall not in any way be modified, amended, or amplified by reference to any documents, instrument, or agreement referred to herein or in which this Letter of Credit is referred to or this Letter of Credit relates, and any such reference shall not be deemed to incorporate herein by reference any document, instrument or agreement.

We hereby agree with the drawers, endorsers, and bona fide holders of any draft drawn under and in compliance with the terms of this credit, that such drafts will be duly honored upon presentation to the drawee.

This letter of credit is subject to and governed by the laws of the State of Florida (without Regard to Principles of Conflict of Law), and except as otherwise expressly stated herein, is subject to the International Standby Practices 1998 (ISP98), International Chamber of Commerce – Publication No. 590 ("ISP98") and in the event of any conflict, the Laws of the State of Florida will control.

Stonegate Bank


Authorized Signatures: Yates A. Padgett



Staff Report

Agenda Item: **Resignation from the Community Services Commission –
Acceptance of an email letter of resignation from Krysta Dehnert
of the Community Services Commission**

Meeting Date: November 8, 2016

Prepared By: Dawn Norman, Community Services Supervisor

Background: Krysta Dehnert submitted a letter of resignation from her position
on the Clarkdale Community Services Commission, effective September 14, 2016.

A copy of Ms. Dehnert's resignation email is attached.

Recommendation: Acceptance of Krysta Dehnert's Email Letter of Resignation from
the Community Services Commission.

From: Dawn Norman
Sent: Wednesday, September 14, 2016 5:54 PM
To: Gayle Mabery <Gayle.Mabery@clarkdale.az.gov>; Kathy Bainbridge <Kathy.Bainbridge@clarkdale.az.gov>; Janet Perry <Janet.Perry@clarkdale.az.gov>
Subject: Fwd: Resignation from Community Services Commission

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Krysta Dehnert <krystadehnert@hotmail.com>
Date: 9/14/16 11:38 AM (GMT-07:00)
To: Dawn Norman <Dawn.Norman@clarkdale.az.gov>
Subject: Resignation from Community Services Commission

Dear Dawn Norman,

For personal reasons, I am resigning from the Clarkdale Community Services Commission. I regret that I must make this decision, but I find I can no longer serve the community in the manner I would like.

Please accept this email as my official notice of resignation, effective immediately.

Sincerely,

Kryst Dehnert

*** 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.

*** 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). ***



Staff Report

-
- Agenda Item:** Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona amending Resolution #1511, Setting Fees for the Town of Clarkdale by changing court fees – Approval of Resolution #1531, a resolution updating Court Fees in the Town Fee Schedule.
- Staff Contact:** Kathy Bainbridge, Town Clerk/Finance Director
- Meeting Date:** November 8, 2016
- Background:** The Court Fees section of the Town Fee Schedule needed to be updated to reflect changes with the adoption of the created Penalty and Enforcement Code.
- Recommendation:** Approval of Resolution #1513, a Resolution of the Mayor and Common Council of the Town of Clarkdale, Arizona amending Resolution #1511, Setting Fees for the Town of Clarkdale, by updating Court Fees.



RESOLUTION # 1531

RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AMENDING RESOLUTION #1511, SETTING FEES FOR THE TOWN OF CLARKDALE BY UPDATING COURT FEES.

BE IT RESOLVED, that the following price and fee structure is hereby revised as shown:

COURT FEES:

Dog Citation	
1st Offense – Petty Offense	\$50.00 minimum plus applicable surcharges.
2nd Offense with in 1 year of 1st Offense – Class 2 Misdemeanor	\$80.00 minimum plus applicable surcharges.
3rd Offense within 1 year of 1st Offense – Class 2 Misdemeanor	\$150.00 minimum plus applicable surcharges. \$200.00 maximum plus applicable surcharges.
Civil Traffic Default Fee – Per default judgment entered in a civil offense or civil traffic violation case upon failure to appear or failure to pay a civil sanction, unless such default judgment is set aside under Rule 28, Rules of Procedure in Civil Traffic Cases (as amended). May be waived by the Court. Town Code 1-8-8(B)	\$50.00

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Clarkdale, Arizona, this 8th day of November, 2016.

APPROVED:

ATTEST:

Doug Von Gausig, Mayor

Kathy Bainbridge, Town Clerk/Finance Director



Staff Report

Agenda Item: **Ordinance Relating to the Sale of Tobacco Products Tabled from October 11, 2016 – Approval to table to December 13, 2016.**

Meeting Date: November 8, 2016

Staff Contact: Gayle Mabery, Town Manager

Background: At the October 11, 2016 meeting two versions of a Tobacco 21 ordinance were presented for consideration. While some local ordinances regulate sale, use and possession of tobacco products, both versions of the ordinance that were presented for Council consideration were limited to regulating the sale of tobacco products to persons under 21 years of age. The proposed ordinances did not regulate use or possession for those under 21 years of age.

The difference between Version A and Version B was the effective date of the ordinance. Version A would become effective 30 days from adoption, and would restrict the sale of tobacco products to all persons under the age of 21 from that point forward.

In Version B, there would be a “phased in” effective date which would result in persons who have reached the age of 18 as of the effective date of the ordinance being “grandfathered” for purchase of tobacco products. This grandfathering provision would effectively stay in place until 3 years after the ordinances effective date, after which time all persons who would be impacted by the grandfathering clause in the ordinance would have reached the age of 21.

Council requested clarification on items to be considered:

- 1) Clarifying in first definition that NicoDerm, patches, etc. are regulated by FDA;
- 2) Getting clarification on tobacco derived statement and tying in more specifically with nicotine; and
- 3) Getting clarification on the maximum dollar amount on the civil offense would be and whether a surcharge would apply if a civil offense fine was levied.

Councilmember Bohall moved to table this agenda item action to the November regular meeting date. Councilmember Buckley seconded the motion and motion carried unanimously.

We are still in the process of gathering additional information along with combining the Tobacco 21 ordinances with an updated version of Section 10-2, Smoking and reviewing the penalty clauses.

Recommendation: Table to the December 13, 2016 council meeting.



Staff Report

- Agenda Item:** YAVAPAI COLLEGE PRESENTATION – Dr. James Perey, Executive Dean/Campus Executive Officer for Verde Valley Campus AND Director of University/Governmental Relations, Yavapai College will provide an update on Yavapai College.
- Sponsor** Council Member Regner
- Staff Contact:** Kathy Bainbridge, Clerk – Finance Director
- Meeting Date:** November 8, 2016
- Background:** Yavapai College is preparing to do community outreach presentations. Dr. James Perey, Executive Dean/Campus Executive Officer for Verde Valley Campus AND Director of University/Governmental Relations, will be the speaker
- Recommendation:** Presentation only, no action required.

YAVAPAI COLLEGE COMMUNITY UPDATE



FROM THE DESK OF DR. PENNY WILLS

Other schools mark fall semester with the turning of leaves or a chill in the air. Here at Yavapai College, I see fall in the arrival of our new students, brimming with energy and anticipation;

I see it in the faces of our returning students, determined and confident. And, I see it in our faculty and staff – reinvigorated and ready to play their role in student success.

This academic year brings challenges, as well. Like many colleges across the country, we are managing constant change in our budgeting and enrollment; in the makeup of our districts, and in the needs of our communities. We will embrace the changes ahead while remaining true to our core purpose. At Yavapai College, our mission is our students' success.

That means focusing on improving outcomes. As an institution, we are exploring ways to increase retention and graduation rates. Our faculty mentorship project is already underway and will offer personalized support for first-time college students. Our Strategic Enrollment Management committee has identified the need to focus on personal enrichment and strengthening ties to high school counselors and teachers.

Keeping pace with our community, and its needs, also requires clear communication. At Yavapai College, we are listening: through our Focus Forum series, key stakeholders from across the district have offered recommendations and insights related to their expectations of the college. We were heartened by positive feedback: YC responds to community priorities with flexible programming, serves as an economic driver, and enhances cultural enrichment opportunities for the district.

At our August convocation ceremony, I challenged our faculty and staff to think about what each of us can do, as individuals, to provide greater support to our students, our college, and our community as a whole. Together we can make the 2016-17 academic year the time to grow Yavapai County's "education capital." A concerted effort will lead us to our vision: Yavapai College makes our community a better place to learn, work and live.

Let's continue the conversation:

If you want to know more about any of our projects at Yavapai College, please reach out. We're always happy to meet with you or your group to answer questions and hear ideas. Just call Karen Jones at 928-776-2307 to invite a Yavapai College rep to one of your meetings.



Yavapai College Nursing Program



Yavapai College Career Fair



Verde Valley Ceramics

QUALITY

AFFORDABLE

EDUCATION



AROUND OUR DISTRICT

PRESCOTT CAMPUS

The campus is alive this fall with classes, events and new services for our community. The art gallery begins the academic year with the Fall Faculty Exhibition; the library offers the Naxos Music Library, a free streaming music database offering nearly 2 million tracks of music; and YC's highly anticipated, inaugural Pokemon Go Invitational Tournament will be held on Sept. 24th. It promises to be a great introduction to the campus for many of the attendees.

Good news for the business community and lifelong learners: building renovations for the Regional Economic Development Center (REDC) and the Osher Lifelong Learning Institute (OLLI) are now complete. The REDC staff can now work more effectively with business professionals, and the OLLI building offers an attractive, comfortable space for its growing ranks of lifelong learners.

Join us on October 21 for an open house event: participants of all ages will have the opportunity to attend college-level sessions hosted by YC faculty and staff. Attendees will learn more about subjects like nursing, viticulture, financial aid, application preparation, and many others. Attendance is limited to the first 200 participants. The online registration form will be available soon at yc.edu.

VERDE VALLEY CAMPUS

Student success was the underlying theme of the summer. Fourteen high school students participated in the early-college LEAD program, earning college credits and getting a preview of campus life. The result: all enrolled at YC for the fall semester, either as full or part-time students. And, the popular College For Kids program hit an all-time high with 485 registrations!

This fall, thanks to a new partnership with the Valley Academy for Career and Technology Education, Verde Valley high school students will be able to earn college credits while taking YC courses in Welding, Fire Science and Media Arts.

Improvements to the campus include new maps, directories, and signs designed to simplify navigating the grounds. Plus, the Mabery Pavilion will launch its fall season with a new paved floor to compliment lighting and landscape work.

SEDONA CENTER

Community teams have shared their ideas for the future of the Sedona Center. Highlights included: adding culinary and pastry kitchens to support the development of a culinary/hospitality program; redesigning classrooms to accommodate lifelong learning, community education, and general education programming; and exploring a partnership with Sedona Red Rock High School to enhance their performing arts program.

CAREER & TECHNICAL EDUCATION CENTER (CTEC)

Career & Technical Education (CTE) programs continue to thrive with a robust 90.5% job placement percentage. By pairing high job placement with career coaching assistance, CTE gives our students a competitive edge in Arizona's job market.

With a National Science Foundation grant of \$855,350 to fund high-quality engineering technician training, work-based student internships, instructor training and technical equipment enhancements for the next three years, CTEC will continue to remain one of the top facilities of its kind in Arizona.

In an effort to promote increased collaboration and efficient use of public monies, the Mountain Institute Joint Technical Education District administration has relocated to the Yavapai College Career & Technical Education Center. The campus typically hosts more than 200 high school students who attend courses in Pre-Engineering, Welding, Automotive, Auto Body and Paint, and Aviation.



Prescott Campus



Verde Valley Campus



CTEC Robot Camp

CTE Program Highlights

Computer Numerical Control

The Computer Numerical Control (CNC) Machining certificate program provides an introduction to manufacturing technology and allows the student to program and operate a CNC mill and lathe, design a product for CNC machining, reverse engineer a product for 3D replication, and set tools for the CNC machining of a given product.

Industrial Machine Mechanic

The Industrial Machine Mechanic (IMM) program offers six certificates and a degree in the millwright trade and prepares the student for careers in industrial plant and production machinery installation, maintenance, repair, and fabrication. The types of machines taught include pumps, valves, hydraulic/pneumatic, and bulk material handling (e.g., conveyer systems).

CHINO VALLEY AGRIBUSINESS CENTER

Through two successful summer horticulture classes, students prepared the tomato bay for fall students, built a straw-bale garden, planted the pumpkin patch, cleaned up the outdoor gardens and erected a trellis for the grape vines. Meanwhile, canine students tested their handling skills while learning about canine sports such as barn hunt, flyball and agility.

Among the community activities on tap at the center this fall is an all-breed, multi-discipline horse show on Saturday, Oct. 8. The event is in partnership with the Arizona Agribusiness & Equine Center.

The Electrical Utility Lineworker program is in full swing with its third cohort. Students are learning the basics of electricity and line skills in preparation for well-paying careers in the energy industry. If you stop by the campus, you may see our students at the top of 40' poles installing equipment, operating utility trucks, or conducting mock rescues.

PRESCOTT VALLEY CENTER

The center will undergo renovations and expansion over the next year. Many YC allied health and JTED programs will relocate to the campus once construction is complete. The renovations will provide dedicated classrooms and labs, which will contribute to student learning and success.

FINANCIAL AID

Parents and students, take note. Financial aid may be awarded earlier this year. The 2017-18 Free Application Form for Student Aid (FAFSA) will be available starting Oct. 1, 2016 -- three months early! YC financial aid staff will present several workshops at area high schools this fall to ensure that college-bound students are aware of the latest FAFSA filing information.

YAVAPAI COLLEGE PERFORMING ARTS CENTER (YCPAC)

It's hard to imagine a more exciting fall/winter season of entertainment. The Yavapai College Music Department will follow up its September production of "Little Women: The Musical" with the holiday classic "It's a Wonderful Life" in December. Celebrated artists appearing live at the YCPAC include Art Garfunkel and Rita Rudner. Plus, the center will continue to offer satellite broadcasts of the Metropolitan Opera, National Theatre Live, the Bolshoi Ballet performances, and others.

In the Verde Valley, the YCPAC will present Australian jazz sensation Matt Baker & the Trio at the Phillip England Center on Oct. 22 and Windham Hill: Winter Solstice will usher in the holidays at the Sedona Performing Arts Center, Nov. 20. The Broadway favorite Golden Dragon Acrobats will amaze in the final winter season performance at the Sedona Performing Arts Center in March, 2017.

As always, for the full season schedule and ticket information, visit the Yavapai College Performing Arts Center website at www.ycpac.com.

REGIONAL ECONOMIC DEVELOPMENT CENTER (REDC)

Fostering employer/job-seeker connections, the REDC has been a principal collaborator in a series of career fairs around the district. The next scheduled event will be held at the Prescott Valley Event Center, Sept. 27, 9 a.m. - 1 p.m.

"Mobile Small Business Counseling for Rural Yavapai County" is now available thanks to a \$68,000 grant. The funding will expand small business technical assistance including personalized counseling services through the Small Business Development Center (SBDC). The geographic areas of focus for the grant include Yarnell, Black Canyon City, and the Town of Chino Valley.

In addition, the SBDC will continue to offer a variety of low-cost entrepreneurship workshops, as well as free one-on-one small business counseling. For workshop schedules and information, visit the SBDC web page at www.yc.edu/sbdc.



Chino Valley Agribusiness Center



Prescott Valley Campus



Financial Aid Support



Yavapai College Performing Arts Center



REDC Workshop

ATHLETICS

The Roughrider baseball and softball teams this spring were the pride of the county. Baseball capped a stellar season by winning the National Junior College World Series. Softball capped an outstanding season with a fourth-place finish in the NJCAA national championship tournament.

Academics were also a source of pride for YC athletes. Five student athletes earned a perfect 4.0 GPA. Seventeen student-athletes earned NJCAA academic awards and 45 of 78 student athletes were named to the Athletic Director's Honor Roll for earning a 3.0 GPA or higher.

The Roughrider soccer and volleyball fall seasons are now underway and both teams are off to a solid start and on their way to post-season appearances. Visit www.goroughriders.com for game schedules.

IN CLOSING

I hope this letter brings you up to date on just some of YC's recent and upcoming activity. I'd like to leave you with an infographic (below) that reminds us why Yavapai College is the best place to receive a high-quality education through both credit and non-credit programming.

If there's anything you'd like to know more about, please call Karen Jones at (928) 776-2307. We look forward to hearing from you.



Dr. Penny Wills
President
Yavapai College



National Junior College World Series Champions



YC Softball

YC By the Numbers

\$10,146

Average tuition cost for 15 credit hours (typical for one semester) among the four largest Arizona universities.

\$1,185

Tuition cost for 15 credit hours (typical for one semester) at Yavapai College.

\$13.8M

Tuition assistance provided to Yavapai College students in 2015-16 through grants, loans, scholarships and other sources.

2,849

Number of Yavapai College students that received financial aid in 2015-16.

18,917

Number of students served in the Lifelong Learning Programs at Yavapai College (OLLI, Community Education, EDventures and College for Kids), 2011-16.

FOLLOW US TODAY.





Staff Report

Agenda Item: **PROPOSAL FOR THE VW BUG LANE TO WASTEWATER TREATMENT PLANT SEWER PIPE RELINING PROJECT**
– Discussion and possible action on the SAK Construction proposal for relining the 12-inch sewer pipe running from VW Bug Lane to the wastewater treatment plant (WWTP).

Meeting Date: 11/8/2016

Prepared By: Wayne Debrosky, Utilities/Public Works Director

Background: The existing 12-inch sewer pipe or main running from the manhole on VW Bug Lane to the headworks at the WWTP consists of aged clay pipe with numerous condition issues. These condition issues consist of radial and longitudinal cracked sections, broken and missing areas of pipe, root intrusion, a metal rod stuck in a pipe joint, and surface corrosion of the interior of the pipe. This part of our sewer collection system receives a majority of flow from other parts of the Town’s sewer collection system and carries those flows to the WWTP. This piping is part of the original sewer collection system infrastructure installed in the 1920s.

ProPipe, Professional Pipe Services did video inspections of this section of 12” sewer pipes on April 20, 2015 and on July 6, 2016 to investigate the existing condition of the mains in response to two leaks on this section of the sewer collection system. The information gained from those video inspections indicated that the entire stretch of stretch of clay tile pipe, from VW Bug Lane to the WWTP, needed to be rehabilitated or replaced.

Staff recommends relining the pipe using cured-in-place pipe (CIPP) system, instead of replacement, because relining will save money and cause less disruption to the operation of the sewer collection system. Relining can be done accessing the existing pipe using existing manholes, eliminating the need for major excavations needed to replace pipe. This project will be paid for using Designated Funds for Sewer Line Replacements/Repairs.

This project will be paid for using Designated Funds for Sewer Line Replacements/Repairs which currently has \$504,530.43 in that line item. It is anticipated that this project will cost approximately \$243,800, but that amount could change based on field conditions and the total footage of pipe relined. The cost could go down if the total linear footage is less than 2650 linear feet, or the need to excavate and repair sections of pipe prior to relining could result in additional costs.

At the September 13, 2016 Town Council directed Staff to advertise and accept RFPs for a cured-in-place pipe (CIPP) relining project to reline approximately 2,650 linear feet of existing 12-inch sewer pipe from the manhole at VW Bug Lane to the WWTP. The RFPs were advertised on September 25th and 28th, 2016 with the RFPs due back on October 19, 2016. Two firms, SAK Construction and INSITUFORM submitted qualifying proposals.

The two proposals were:

- SAK Construction \$92.00 per linear foot
- INSITUFORM \$122.00 per linear foot

After reviewing both proposals Staff recommends that the Town Council to accept the proposal from SAK Construction in the amount of \$92.00 per linear foot for the VW Bug Lane to Wastewater Treatment Plant (WWTP) Sewer (CIPP) Relining Project.

Recommendation: Staff recommends that the Town Council approve the proposal from SAK Construction in the amount of \$92.00 per linear foot for the VW Bug Lane to Wastewater Treatment Plant (WWTP) Sewer cured in place pipe (CIPP) Relining Project, and direct the Public Works/Utilities Director to issue a Notice To Proceed to SAK Construction for this project.

TOWN OF CLARKDALE

PROPOSAL SHEET

PROPOSAL FOR: VW Bug to WWTP Sewer Pipe (CIPP) Relining Project

The Town of Clarkdale, AZ. Is seeking proposals for the VW Bug to WWTP Sewer Pipe (CIPP) Relining Project. The relining minimum will be 2,050 linear feet up to a maximum of 2,650 linear feet of 12-inch diameter gravity sewer line, with cured in place pipe (CIPP). Starting from MH#1 and ending at the Town of Clarkdale Wastewater Treatment Plant (WWTP), with cutting and grouting, all service connections between manholes.

The collection system description, condition, and scope of work was taken from a Collection System Inspection Report dated 04/20/15 prepared by ProPipe Professional Pipe Services for the Town of Clarkdale. Additional information is provided in a service report from ProPipe dated 07/06/16 where ProPipe cleaned and video inspected the collection system from MH#8 to the WWTP (approximately 350 linear feet of existing 12-inch sewer pipe), and performed a repair seven (7') foot due to leaking pipe.

For more information, call the Town of Clarkdale Utilities Department at (928) 639-2520 and ask for Ellen Yates, Administrative Supervisor or Wayne Debrosky, Public Works/Utilities Director.

Bid Specifications for this project are as follows:

IN ACCORDANCE WITH THE INSTRUCTION TO BIDDERS AND BID SPECIFICATIONS.

SAK CONSTRUCTION ACKNOWLEDGES RECEIPT OF AMENDMENT SENT BY E-MAIL ON 10/23/16
WE HEREBY PROPOSE TO FURNISH ALL LABOR AND MATERIALS REQUIRED BY THE CONTRACT DOCUMENTS AND ALL PERMITS REQUIRED AS FOLLOWS:

PRICE PER LINEAR FOOT: \$92.00 (NINETY-TWO DOLLARS AND NO CENTS)
DATE(S) OF DELIVERY: * SEE NOTE BELOW
COMPANY NAME: SAK CONSTRUCTION, LLC
COMPANY ADDRESS: 864 HOFF ROAD, O'FALLON, MO 63366
SIGNATURE OF AUTHORIZED REPRESENTATIVE: Joseph Feuerborn
DATE: 10/17/16 TITLE: JOSEPH FEUERBORN, GENERAL MANAGER - WEST
BOND REQUIRED NO
BID BOND ENCLOSED (IF REQUIRED) NO
PERFORMANCE BOND REQUIRED YES

* SAK CONSTRUCTION IS CURRENTLY AVAILABLE TO BEGIN THE PIPE CLEANING WORK ON 11/28/16, WITH CONTRACT COMPLETION WITHIN 40 WORKING DAYS OF START DATE.

TOWN OF CLARKDALE

PROPOSAL SHEET

PROPOSAL FOR: VW Bug to WWTP Sewer Pipe (CIPP) Relining Project

The Town of Clarkdale, AZ. Is seeking proposals for the VW Bug to WWTP Sewer Pipe (CIPP) Relining Project. The relining minimum will be 2,050 linear feet up to a maximum of 2,650 linear feet of 12-inch diameter gravity sewer line, with cured in place pipe (CIPP). Starting from MH#1 and ending at the Town of Clarkdale Wastewater Treatment Plant (WWTP), with cutting and grouting, all service connections between manholes.

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For more information, call the Town of Clarkdale Utilities Department at (928) 639-2520 and ask for Ellen Yates, Administrative Supervisor or Wayne Debrosky, Public Works/Utilities Director.

Bid Specifications for this project are as follows:

IN ACCORDANCE WITH THE INSTRUCTION TO BIDDERS AND BID SPECIFICATIONS.

WE HEREBY PROPOSE TO FURNISH ALL LABOR AND MATERIALS REQUIRED BY THE CONTRACT DOCUMENTS AND ALL PERMITS REQUIRED AS FOLLOWS:

PRICE PER LINEAR FOOT: \$ 122.00 (Includes digs & point repairs)
DATE(S) OF DELIVERY: 02/01/2017
COMPANY NAME: Insituform Technologies, LLC
COMPANY ADDRESS: 17988 Edison Avenue, Chesterfield, MO 63005
SIGNATURE OF AUTHORIZED REPRESENTATIVE: Whitney Schulte
DATE: October 19, 2016 TITLE: Whitney Schulte, Contracting & Attesting Officer
BOND REQUIRED NO
BID BOND ENCLOSED (IF REQUIRED) NO
PERFORMANCE BOND REQUIRED YES



Staff Report

Agenda Item: **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 2 - MAYOR AND COUNCIL, SECTION 2-1-4 VACANCIES IN COUNCIL; 2-1-7 BOND; AND 2-3-1 PRIMARY ELECTION OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** – Discussion and possible action regarding Ordinance 377, an ordinance amending Chapter 2 - Mayor and Council of the Town Code.

Meeting Date: November 8, 2016

Staff Contact: Kathy Bainbridge, Town Clerk-Finance Director

Background: Section 2-1-4, Vacancies in Council is amended to reflect A.R.S. 9-235 and A.R.S. 9-232(A) & (D):

9-235. Vacancies in council - A. The council shall fill a vacancy that may occur by appointment until the next regularly scheduled council election if the vacancy occurs more than thirty days before the nomination petition deadline, otherwise the appointment is for the unexpired term. This subsection does not apply to a charter city

9-232. Council; qualifications of members; oath; selection of mayor; vacancy\

A. A person shall not be a member of a city or town council unless, at the time of the election, the person is eighteen years old, is a qualified elector residing within the city or town and has resided in the city or town for at least one year next preceding the election, or if an area has been annexed to the city or town for a period of less than one year next preceding the election has resided in such area for at least one year next preceding the election. If an annexed area is subject to the provisions of this subsection, a person may meet the residency requirements if the person has resided within the existing limits of the city or town for the one-year period.

D. If a member of the council, at any time during the member's term of office, ceases to be a qualified elector of the city or town or ceases to reside in the city or town, the council seat held by the member is deemed vacant. The council seat shall be filled in the same manner as any vacancy on the council. On request, the

county attorney for the county in which the city or town is located shall investigate and determine whether a vacancy exists pursuant to this subsection.

Section 2-1-7 Bond, is amended to reflect that the Town insurance carrier now provides bonds for council automatically.

Section 2-3-1 Primary Election is amended to reflect A.R.S. 9-821.01:

9-821.01. Declaration of statewide concern; nonpartisan city and town elections; districts; procedure

A. Arizona courts have recognized that the Constitution of Arizona requires the legislature's involvement in issues relating to elections conducted by charter cities, including initiative and referendum elections, the method of elections other than by ballot, laws relating to primary elections, voter registration laws to prevent abuse and fraud and campaign finance laws. The legislature finds that the conduct of elections described in this section is a matter of statewide concern.

B. Notwithstanding any other law, a city or town shall not hold any election on candidates for which there is any indication on the ballot of the source of the candidacy or of the support of the candidate.

C. Notwithstanding any other law, for any city or town that provides for election of city or town council members by district, ward, precinct or other geographical designation, only those voters who are qualified electors of the district, ward, precinct or other geographic designation are eligible to vote for that council member candidate in the city or town's primary, general, runoff or other election.

D. Notwithstanding any other law or any charter provision, a city or town may by ordinance provide that at the primary election any candidate for the office of mayor or city council who receives a majority of all votes cast at that election for that office shall be declared elected to the office for which the person is a candidate, effective as of the date of the general election, and no further election shall be held as to such candidate. For the purposes of this subsection, the majority of votes cast is determined by:

1. Calculating the total number of actual votes cast for all candidates for an office whose names were lawfully on the ballot for that office.
2. Dividing the sum reached pursuant to paragraph 1 of this subsection by the number of seats to be filled for the office.
3. Dividing the number reached pursuant to paragraph 2 of this subsection by two and rounding that number to the highest whole number.

E. If more candidates receive a majority of votes cast than there are seats to be filled for the office pursuant to subsection D of this section, from among those candidates who receive a majority of votes cast, the candidates who receive the highest number of votes equal to the number of seats to be filled for the office shall be declared elected to that office.

F. If at the primary election no candidate receives the majority of the votes cast or the number of seats to be filled for the office is more than the number of candidates who receive a majority of votes cast, of the candidates who did not receive a majority of votes cast, the number of candidates who advance to the general or runoff election shall be equal in number to twice the number of seats

to be filled for the office and the candidates who received the highest number of votes for the office shall be the only candidates at the general or runoff election. If more than one candidate received an equal number of votes and that number was the highest number of votes for the office, then all candidates receiving the equal number of votes shall be candidates at the general or runoff election. The candidates equal in number to the seats to be filled for the office who receive the highest number of votes at the general or runoff election shall be declared elected to that office. If two or more candidates receive an equal number of votes cast for the same office, and a higher number than any other candidate, the candidate who shall be declared elected shall be determined by lot in the presence of the candidates.

G. In addition to subsection D of this section, any town with a population of five thousand persons or less may by majority vote of the qualified electors of the town voting on the question provide that at the primary election those candidates receiving the highest number of votes for the offices to be filled shall be declared elected to the office, and no further election shall be held if at least three-fifths of the seats are filled by persons receiving a majority of the votes cast as provided in subsection D of this section.

Recommendation: Approval of Ordinance 377, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 2 - MAYOR AND COUNCIL, SECTION 2-1-4 VACANCIES IN COUNCIL; 2-1-7 BOND; AND 2-3-1 PRIMARY ELECTION OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

ORDINANCE NO. 377

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 2 - MAYOR AND COUNCIL, SECTION 2-1-4 VACANCIES IN COUNCIL, 2-1-7 BOND AND 2-3-1 PRIMARY ELECTION OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AS FOLLOWS:

Section 1: That Section 2-1-4, Vacancies in Council is amended as follows:

Section 2-1-4 Vacancies in Council (~~4~~)

A. The Council shall fill a vacancy that may occur by either of the following:

1. Appointment for the unexpired term. Discussion and consideration of appointments shall be held in public session.
2. Appointment until the next regularly scheduled council election if the vacancy occurs more than thirty (30) days before nomination petition deadline, and the incumbent has more than two years remaining on his or her term. The remainder of the term will be put on the next council election ballot if the vacancy occurs more than thirty days before nomination petitions are due for the regular election.

B. The member appointed shall meet the qualifications established in A.R.S. 9-232 (A) & (D).

Section 2: That Section 2-1-7 Bond, is amended as follows:

Section 2-1-7 Bond (~~4~~)

~~Prior to taking office, the Mayor and every Council member shall execute and file an official bond, enforceable against the principal and his sureties, conditioned on the due and faithful performance of his official duties, payable to the state and to and for the use and benefit of the Town or any person who may be injured or aggrieved by the wrongful act or default of such officer in his official capacity. Every Council Member shall have executed an official bond on their behalf paid by the Town, which shall be conditioned on the due and faithful performance of the Council Member's official duties, and payable for the benefit of the Town or any person who may be injured or aggrieved by the wrongful act or default of such officer in their official capacity. A person so injured or aggrieved may bring suit on such bond under provisions identical to those contained in Section 38-~~

260 of the Arizona Revised Statutes. Bond shall be in such sum as shall be provided by resolution, and the premium for such bonds shall be paid by the Town.

Section 3: That Section 2-3-1 Primary Election is amended as follows:

Section 2-3-1 Primary Election (~~1~~)

Any candidate who shall receive at the primary election a majority of all the votes cast, as set forth in A.R.S. § 9-821.01, shall be declared to be elected to the office for which he is a candidate effective as of the date of the general election, and no further election shall be held as to said candidate; provided that if more candidates receive a majority than there are offices to be filled then those equal in number to the offices to be filled receiving the highest number of votes shall be declared elected.

Section 4: All Ordinances and part of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed.

Section 5: Any portion of the Town Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal.

Section 6: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona this 8th day of November, 2016

ATTEST:

Mayor Doug Von Gausig

Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Vote:

Passed:

Published:

Effective:



Staff Report

Agenda Item: **AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 9 – HEALTH AND SANITATION, ARTICLE 9-4 (O), (P), (S) & (U) INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY** - Discussion and possible action regarding Ordinance 378, an ordinance amending Chapter 9 - Health and Sanitation, Article 9-4, International Property Code of the Town Code.

Meeting Date: November 8, 2016

Staff Contact: Kathy Bainbridge, Town Clerk-Finance Director

Background: The reference to the 2003 International Property Code is being updated to reference the 2012 International Property Maintenance Code.

Recommendation: Approval of Ordinance 378, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 9 – HEALTH AND SANITATION, ARTICLE 9-4 (O), (P), (S) & (U) INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

ORDINANCE NO. 378

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 9 – HEALTH AND SANITATION, ARTICLE 9-4 (O), (P), (S) & (U) INTERNATIONAL PROPERTY MAINTENANCE CODE OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AS FOLLOWS:

Section 1: That Article 9-4 (O), (P), (S) & (U) International Property Maintenance Code is amended as follows:

Article 9-4 INTERNATIONAL PROPERTY MAINTENANCE CODE

That certain document entitled The International Property Maintenance Code, ~~2003~~ 2012 Edition is hereby adopted by reference and is hereby amended as follows:

- O. Section 302.1.1 is added: Private ways. Occupants or owners of buildings that abut private ways shall be responsible for keeping that portion of property from the lot line to the middle of the private way from rubbish, garbage and weeds over 8 inches high. No rubbish or trash garbage shall be allowed on private ways except that which is to be removed within 24 hours by an authorized refuse service.
- P. Section 302.2.2 is added: Stagnant water. Any receptacles, including swimming pools, stock tanks, fountains, and vehicle tires, that collect and store water where mosquitoes are capable of breeding, shall be removed, emptied, maintained, or treated with an approved insecticide or process so as to minimize the treat of infestation.
- S. Section 302.8 Motor Vehicles: Except as provided for in other regulations, no motor vehicle that is inoperable or unlicensed shall be parked, kept, or stored on any premises unless completely enclosed by a six foot (6') solid or masonry fence. No fence shall be erected without an approved permit. No more than two (2) vehicles shall be allowed in the fenced area and they shall not be visible from adjoining public or private property. ~~This amendment shall be effective one year from the date of passage. Until that time, all vehicles stored on any premises not enclosed by the required fence, that are inoperable or unlicensed shall be completely covered with a commercial vehicle cover, and shall not be in a state of disassembly, repair or in the process of being stripped, undergoing body work, or overhaul.~~

Exceptions:

- 1. Any business lawfully existing within the Commercial and Industrial Zoning Districts.
- 2. There shall be no limit to the number of vehicles or their condition as long as they are completely enclosed in an approved structure.

U. Section 303.1 Swimming pools shall be amended by adding: Swimming pools, regardless of the age of the occupants of the property where the pool is located, shall meet all State of Arizona and ~~2002~~ 2011 National Electrical Code requirements.

Section 4: All Ordinances and part of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed.

Section 5: Any portion of the Town Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal.

Section 6: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona this 8th day of November, 2016

ATTEST:

Mayor Doug Von Gausig

Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Vote:

Passed:

Published:

Effective:



Staff Report

Agenda Item: AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 14 - TRAFFIC; SECTION 14-1-2 (A) RECORDS OF TRAFFIC VIOLATIONS, SECTION 14-2-2 OBEDIENCE TO TRAFFIC REGULATIONS, SECTION 14-2-13 (A) PROCESSIONS, SECTION 14-3-2(A) BLOCKING TRAFFIC, SECTION 14-3-5 TRAFFIC CONTROL ZONES, SECTION 14-3-6 PARKING LIMITATION AND ARTICLE 14-4-1 (A) & (B) VEHICLE STORAGE REGULATIONS OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and possible action regarding Ordinance 379, an ordinance amending Chapter 14 - Traffic of the Town Code.

Staff Contact: Randy Taylor, Police Chief

Meeting Date: November 8, 2016

Background: Chapter 14 of the Clarkdale Town Code has been revised as follows:

To change the language in Section 14-1-2 paragraph A from “for a five-year period after closure” to “in accordance with State record retention laws.”

To add “his or her designee(s),” to paragraph A in Section 14-2-2.

To change the language in Section 14-2-13 paragraph A;

To remove “except when stopped temporarily, in the actual loading or unloading of passengers,” from Section 14-3-2 paragraph A;

To remove Section 14-3-5 in its entirety;

To renumber Section 14-3-6 to 14-3-5 and revise it to read “No person shall allow any vehicle to remain parked between nine o’clock a.m. and six o’clock p.m. of any day where signs prohibit parking, in accordance with time limits, excepting Sundays and legal holiday.” Paragraphs B and C of this section would be removed in their entirety, and paragraph D would become paragraph “B”; and

To renumber all remaining sections in Article 14-3 to remain consistent with Section 14-3-5 above.



Staff Report

To remove the current language of 14-4-1 “A” and “B” Vehicle Storage Regulations and make reference to the International Property Maintenance Code.

Any other edits or revisions are typographical in nature.

Recommendation:

Staff recommends Council adopt Ordinance 379, AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 14 -TRAFFIC; SECTION 14-1-2 (A) RECORDS OF TRAFFIC VIOLATIONS, SECTION 14-2-2 OBEDIENCE TO TRAFFIC REGULATIONS, SECTION 14-2-13 (A) PROCESSIONS, SECTION 14-3-2(A) BLOCKING TRAFFIC, SECTION 14-3-5 TRAFFIC CONTROL ZONES, SECTION 14-3-6 PARKING LIMITATION AND ARTICLE 14-4-1 (A) & (B) VEHICLE STORAGE REGULATIONS OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

ORDINANCE NO. 379

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF CLARKDALE AMENDING CHAPTER 14 - TRAFFIC; SECTION 14-1-2 (A) RECORDS OF TRAFFIC VIOLATIONS, SECTION 14-2-2 OBEDIENCE TO TRAFFIC REGULATIONS, SECTION 14-2-13 (A) PROCESSIONS, SECTION 14-3-2(A) BLOCKING TRAFFIC, SECTION 14-3-5 TRAFFIC CONTROL ZONES, SECTION 14-3-6 PARKING LIMITATION AND ARTICLE 14-4-1 (A) & (B) VEHICLE STORAGE REGULATIONS OF THE CLARKDALE TOWN CODE; REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA AS FOLLOWS:

Section 1: That Section 2-1-4 (A), Records of Traffic Violations is amended as follows:

Section 14-1-2 Records of Traffic Violations

- A. The Police Chief, or his or her designee, shall keep a record of all violations of the traffic laws of the Town or of the State vehicle laws of which any person has been charged, together with a record of the final disposition of all such alleged offenses. Such records shall be retained in accordance with State record retention laws. ~~for a five-year period after closure.~~

Section 2: That Section 14-2-2 Obedience to Traffic Regulations is amended as follows:

Section 14-2-2 Obedience to Traffic Regulations

It is unlawful, except as otherwise provided in this code, for any person to do any act forbidden or fail to perform any act required by this chapter or willfully fail or refuse to comply with any lawful order or direction of the Police Chief, his or her designee(s), or of any Fire Department official.

Section 3: That Section 14-2-13 (A) Processions is amended as follows:

Section 14-2-13 Processions

- A. No procession or parade, except funeral processions, shall be held without first securing a special event permit. ~~from the Police Chief, or his or her designee, and a~~ All such permit requests ~~for permits~~ shall state the time, place of formation, proposed line of march, destination and such other regulations as ~~the Police Chief~~ may be set forth therein.

CHAPTER 14 TRAFFIC (1)

Section 4: That Section 14-3-2(A) Blocking Traffic is amended as follows:

Section 14-3-2 Blocking Traffic

- A. No person shall stop, stand or park any motor vehicle, or other vehicle, upon a street in the Town in such a manner or under such conditions as to leave available less than ten feet of the width of the roadway for the free movement of vehicular traffic, ~~except when stopped temporarily, in the actual loading or unloading of passengers,~~ or when necessary, in the observance of traffic signs or signals of the Police Chief, or his or her designee.

Section 5: That Section 14-3-5 Traffic Control Zones is deleted as follows:

~~Section 14-3-5 Traffic Control Zones~~

~~For the purpose of regulating traffic and providing for the safe use of the streets of the Town, the following sections of streets are hereby established as traffic control zones:~~

~~**Zone A:** means both side of Main Street between Ninth Street and Tenth Street.~~

~~**Zone B:** means the east side of South Ninth Street between Main Street and First South Street.~~

~~**Zone C:** means the west side of South Ninth Street between the alley way lying between Main Street and First South Street.~~

~~**Zone D:** means the west side of South Ninth Street between the alley way described in Zone "C" and First South Street.~~

~~**Zone E:** means North Ninth Street for a distance of one hundred feet from the intersection of Main and Ninth Streets and immediately in front of the United States Post Office Building and the Town Hall.~~

~~**Zone F:** means the east side of Tenth Street between Main Street and the alley midway between Main Street and First South Street.~~

Section 6: That Section 14-3-6 Parking Limitation is amended and renumbered as follows:

Section 14-3-56 Parking Limitation

- A. No person shall allow any vehicle to remain parked between nine o'clock a.m. and six o'clock p.m. of any day, where signs prohibit parking in accordance with time limits, excepting Sundays and legal holidays.:
- ~~1. In Zone "A" for a continuous period exceeding one hour.~~
 - ~~2. In Zone "C" for a continuous period exceeding thirty minutes.~~
 - ~~3. In Zone "E" for a continuous period exceeding thirty minutes.~~
 - ~~4. In Zone "B" for a continuous period exceeding ten minutes.~~

~~B. No person shall allow any vehicle to remain parked in Zone "F" on any day, and at any time, for a continuous period exceeding two hours.~~

~~C. No parking shall be allowed on either side of the following streets:~~

~~1. On Lincoln Drive, Mingus Shadow Subdivision.~~

~~2. On 11th Street between Main Street and First South Street.~~

D.B. Only parallel parking, as prescribed by Arizona Revised Statutes shall be allowed on either side of Fiesta Street, Patio Park Subdivision, Clarkdale, Arizona.

Section 7: That the Sections 14-3-8 through 14-3-15 are renumbered as follows

Section 14-3-67 Restricted Parking Areas

Section 14-3-78 Unloading Commercial Vehicles

Section 14-3-89 Truck Parking Zone

Section 14-3-910 Parking Upon a Street

Section 14-3-1011 Parking of Commercial Vehicles or Trailers

Section 14-3-1112 Prohibited Parking

Section 14-3-1213 Application of Restrictions

Section 14-3-1314 Restricted Parking Areas for the Handicapped

Section 14-3-1415 Abandoned Vehicles

Section 8: That Article 14-4-1 (A) & (B) Vehicle Storage Regulations is amended as follows

Article 14-4-1 VEHICLE STORAGE REGULATIONS

A. Regulations regarding inoperable or unlicensed motor vehicles are provided in Article 9-4, International Property Maintenance Code.

B. Regulations regarding inoperable or unlicensed boats, trailers and non-motorized camper vehicles are provided in Article 9-4, International Property Maintenance Code.

~~A. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.~~

~~B. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.~~

~~(2012 International Property Maintenance Code. (2011). Retrieved January 26, 2016, from <http://publicecodes.cyberregs.com>)~~

CHAPTER 14 TRAFFIC (1)

Section 9: All Ordinances and part of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed.

Section 10: Any portion of the Town Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal.

Section 11: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona this 8th day of November, 2016

ATTEST:

Mayor Doug Von Gausig

Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Town Attorney

Vote:

Passed:

Published:

Effective:



Staff Report

Agenda Item: 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: “REFUSE COLLECTION ” – Discussion and consideration of Resolution #1532 declaring the “Refuse Collection Code” as a public record.

Staff Contact: Wayne Debrosky, Utility Director

Meeting Date: November 8, 2016

Background: Chapter 9 Health and Sanitation, Article 9-1 Garbage and Trash Collection has been amended in order to update language and processes currently used by the Town of Clarkdale through their authorized collector:

Verbiage throughout the code was inconsistent and referred to garbage, trash, recycling and solid waste. The amended code now refers to “Refuse” which by definition, includes garbage, trash and recyclables.

Additional definitions have been added for recyclable material, hazardous waste and bulk material.

Collection hours have been limited between the hours of 6:00 A.M. and 9:00 P.M. which is the current practice and is in alignment with construction hours in the code.

The Preparation of Refuse and Location for Pick Up sections have been updated to reflect current practices.

Recommendation: Approval of Resolution 1532, a Resolution declaring the “Refuse Collection Code” as a public record.

RESOLUTION # 1532

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: "REFUSE COLLECTION CODE".

BE IT RESOLVED by the Mayor and the Town Council of the Town of Clarkdale:

THAT the certain document entitled the "Refuse Collection Code", attached hereto as "Exhibit A", one paper copy and one electronic copy which are on file in the Office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Clarkdale, Arizona, an emergency is declared to exist and this Ordinance shall become effective immediately, operative and in full force after the date of the posting hereof.

PASSED AND ADOPTED by the Mayor and the Town Council of the Town of Clarkdale, Arizona on this 8th day of November, 2016.

Doug Von Gausig, Mayor

ATTEST:

Kathy Bainbridge, Town Clerk

Exhibit A

Refuse Collection Code – Mark Up

Adopted: November 8, 2016
Effective Date: December 8, 2016

Town of Clarkdale, AZ
P.O. Box 308
Clarkdale, AZ 86324
(928) 639-2400
www.clarkdale.az.gov

Article 9-1 REFUSE GARBAGE AND TRASH COLLECTION

A.R.S. Sections 9-240 B(22) and 36-601 (I)

- 9-1-1 Definitions
- 9-1-2 Collection Agency
- 9-1-3 Collection Hours
- 9-1-4 Rates

Section 9-1-1 Definitions

In this chapter unless the context otherwise requires:

- A. **Garbage** means all ~~putrescible~~ wastes liable to decay, except sewage and body wastes, including all organic wastes that have been prepared for, or intended to be used as, food or have resulted from the preparation of food, including all such substances from all public and private establishments and residences.
- B. **Refuse** means all garbage and trash and recyclables.
- C. **Trash** means all ~~nonputrescible~~ non-decaying wastes.
- D. **Recyclable Material:** means a material or group of materials that can be processed into a form suitable for reuse through reprocessing or remanufacture.
- E. **Hazardous Waste:** Waste with properties making it dangerous or potentially harmful to human health or the environment when improperly handled or released to the environment. As defined by the Resource Conservation and Recovery Act (RCRA), hazardous wastes are wastes that meet a particular listing description or that exhibit a characteristic of hazardous waste (ignitability, corrosivity, reactivity, or toxicity).
- F. **Bulk Material:** Wood, household discards such as furniture, rugs, large pieces of metal, tree limbs, bagged yard rakings or trimmings, or other similar material except decaying food items and dead animals too large to fit in the authorized container.

Section 9-1-2 Collection Agency

The Town, or other collectors authorized by the Town, shall collect all refuse within the Town. No person or collector, except as provided in this chapter, shall collect or gather refuse within the Town.

Section 9-1-3 Collection Hours

The hours of collection of refuse shall be designated by the Council. In order to prohibit the disturbance of the public peace and welfare, no person shall collect or remove or cause, permit, facilitate, aid or abet the collection or removal of refuse before 6:00 A.M. or after 9:00 P.M.

Section 9-1-4 Rates

The Council shall from time to time ~~shall set by Resolution fix~~ the rates and classifications for ~~garbage and refuse trash~~ collection within the Town and shall make such other rules and regulations as may be necessary to properly administer and enforce this chapter

Article 9-2 PREPARATION OF REFUSE FOR COLLECTION

- 9-2-1 Preparation of Refuse
- 9-2-2 Location for Pick Up
- 9-2-3 Lids and Covers
- 9-2-4 Use of Containers

Section 9-2-1 Preparation of Refuse

All refuse shall be prepared for collection or disposed of as follows:

~~A. **Garbage:** The customer shall furnish containers for the accumulation, storage and collection of all garbage. Such containers shall be tightly covered and be of rust-resistant metal or plastic and shall have handles on the outside. The maximum capacity of each container shall not exceed twenty gallons and loaded for collection shall not exceed fifty pounds in weight. Such containers shall be kept in good repair and in a sanitary condition. Containers found to be no longer serviceable through disrepair or maintained in an unsanitary condition may be condemned by the Town for further use. Legal notice of such condemnation shall consist of a label or tag affixed to the container. Receptacles not placed in a satisfactory condition or replaced within fifteen days of said notice may be removed and destroyed by the Town.~~

~~AB. Refuse: The Town practices co-mingled recycling in order to remove the maximum amount of recyclables. All household refuse may be comingled in containers provided by the authorized Collector or tied in bundles. Containers may be garbage containers described above or boxes not exceeding three square feet by four feet deep. In any event, the weight of a loaded container or bundle shall not exceed fifty pounds. Customers wishing to retain disposal boxes should mark the box "SAVE" in a readily seen manner. All refuse must fit inside the container provided by the collector and the lid must close properly to keep pests such as birds, insects, animals, and other pests from removing refuse from the container.~~

BC. **Brush:** Brush shall be cut into pieces no longer than four foot (4') in length and bundled so such a size that one person can readily load the individual pieces bundles into a truck or chipper, and shall be piled in neat order with all long branches parallel to one another and shall have all metal or foreign materials removed to facilitate chipping; next to the refuse containers. Arrangements must be made with the Town prior to the collection day for brush pick up. Customers are limited to four (4) bags and two (2) bundles per week. If you do not have trash service with the Town there is a \$15.00 charge for this service. Century plants, thorned plants, cacti, and similar plants which are difficult to handle, or may present a danger to collectors, shall be contained in boxes or containers after having been cut to lengths of no more than three (3') feet.

- C. Bulk Material: Disposal arrangements must be made by the customer at the customers expense.
- D. Appliances and Equipment Vehicles: The customer shall remove or cause to be removed all appliances, ~~vehicles~~ or equipment classed as refuse from their premises or the public right of way.
- E. Building Materials: All owners, contractors and builders of structures shall upon the completion of any structure, gather up and haul away, at their sole cost and expense, all refuse of every nature, description or kind, which has resulted from the building of such structure, including all lumber scraps, shingles, plaster, brick, stone, concrete and other building material, and shall ~~place~~ leave the lot and all nearby premises utilized in such construction in a sightly condition. Residential customers may dispose of small amounts of building materials from time to time, providing it is placed in their a-container provided by the trash collector ~~as described above~~ and contains no concrete, masonry or soil.
- F. By-Products: Any commercial or manufacturing establishment which by the nature of its operations creates an unusual amount of by-product refuse may be required by the Town to dispose of its own wastes as opposed to having the Town provide the service.
- G. Hazardous Waste: Depositing or disposing of hazardous waste is in containers is prohibited.
- H. Pool Chemicals Containers: Pool chemical shall be completely used, or properly disposed of, before disposing of the container. Pool chemical containers shall be emptied and moisture free prior to being placed in containers.
- ~~I.G.~~ Dangerous Waste Medical and Infectious Waste: Depositing or disposing of medical or infectious waste, including lancets, syringes and hypodermic needles in containers is prohibited. Dangerous wastes shall be placed in a proper container, plainly marked "DANGER." The Town reserves the right to deny service for certain dangerous wastes and to require the customer to properly dispose of it by other means.
- ~~J.K.H.~~ Soil and Concrete: Waste soil, concrete, masonry blocks, sod and rocks shall be disposed of by the owner, tenant or occupant of the premises.

Section 9-2-2 Location for Pick Up

- A. All refuse prepared for collection shall be placed at the rear of the lot, at the edge of the alley, and in an easily accessible manner, providing such alley exists and is used as a refuse collection route. Where alleys do not exist or are not open for refuse service, refuse shall be set at the back of the street curb on the sidewalk or parkway, or where no curb exists, at the edge of the roadway. All containers and piles of refuse shall be so located as to not block the alley, sidewalk or gutter, roadway, or otherwise be a hazard to pedestrian or vehicular traffic.
- B. ———— When necessary to set containers at the front curb, they may be set out after six o'clock p.m. of the day preceding regular collection and shall be

removed from the curb by six o'clock a.m. of the day after collection.

C. No person shall allow any obstruction including, but not limited to, parked vehicles, within fifteen feet (15') of a container placed for collection service, or to obstruct collection operations in any other manner.

D. It shall be a violation of this chapter for any person to interfere with authorized collection of refuse in any way.

Section 9-2-3 Lids and Covers

The lids or covers of all containers shall at all times be kept secure so that flies, other insects and animals may not have access to the contents and shall only be removed while the containers and receptacles are being filled, emptied or cleaned.

Section 9-2-4 Use of Containers

It is unlawful for any person to deposit, or cause to be deposited any refuse in any container that he does not own or is not entitled to use as a tenant.

Article 9-3 OTHER METHODS OF REFUSE GARBAGE AND TRASH REMOVAL

9-3-1 Hauling Refuse

9-3-2 Spilled Refuse Vehicles and Receptacles to be Spill Proof

9-3-3 Dumping Refuse Spilled Refuse

9-3-4 Violations (Added 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)

Dumping Refuse

~~9-3-5 Violations (Added 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)~~

Section 9-3-1 Hauling Refuse

It is unlawful for any person to haul or cause to be hauled any refuse on or along any public street, avenue or alley in the Town in violation of any of the provisions of this chapter.

~~Section 9-3-2 Vehicles and Receptacles to be Spill Proof~~

~~It is unlawful for any person to haul or cause to be hauled on or along any public street in the Town any garbage, unless such garbage is contained in strong, watertight vehicles or vehicles with watertight receptacles, constructed to prevent any such garbage from falling, leaking or spilling and any odor from escaping.~~

Section 9-3-23 Spilled Refuse

Any person hauling any refuse along the streets of the Town shall immediately replace in the conveyance used for such hauling any refuse which may fall upon any street.

Section 9-3-34 Dumping Refuse

It is unlawful for any person to place or cause to be placed any refuse upon any public or private

property within the Town, except as specifically permitted in this chapter.

| Section 9-3-45 Violations (Other Methods of garbage and Trash Removal)– (Added 10/25/16;
Resolution 1529; Ordinance 376; Effective 10/26/16)

A violation of this Article shall be punishable under Article 1-8 of the Town Code.

Exhibit A

Refuse Collection Code

Adopted: November 8, 2016

Effective Date: December 8, 2016

Town of Clarkdale, AZ
P.O. Box 308
Clarkdale, AZ 86324
(928) 639-2400
www.clarkdale.az.gov

Article 9-1 REFUSE COLLECTION
A.R.S. Sections 9-240 B(22) and 36-601

- 9-1-1 Definitions
- 9-1-2 Collection Agency
- 9-1-3 Collection Hours
- 9-1-4 Rates

Section 9-1-1 Definitions

In this chapter unless the context otherwise requires:

- A. **Garbage** means all wastes liable to decay, except sewage and body wastes, including all organic wastes that have been prepared for, or intended to be used as, food or have resulted from the preparation of food, including all such substances from all public and private establishments and residences.
- B. **Refuse** means all garbage and trash and recyclables.
- C. **Trash** means all – non-decaying wastes.
- D. **Recyclable Material:** means a material or group of materials that can be processed into a form suitable for reuse through reprocessing or remanufacture.
- E. **Hazardous Waste:** Waste with properties making it dangerous or potentially harmful to human health or the environment when improperly handled or released to the environment. As defined by the Resource Conservation and Recovery Act (RCRA), hazardous wastes are wastes that meet a particular listing description or that exhibit a characteristic of hazardous waste (ignitability, corrosivity, reactivity, or toxicity).
- F. **Bulk Material:** Wood, household discards such as furniture, rugs, large pieces of metal, tree limbs, bagged yard rakings or trimmings, or other similar material except decaying food items and dead animals too large to fit in the authorized container.

Section 9-1-2 Collection Agency

The Town, or other collectors authorized by the Town, shall collect all refuse within the Town. No person or collector, except as provided in this chapter, shall collect or gather refuse within the Town.

Section 9-1-3 Collection Hours

The hours of collection of refuse shall be designated by the Council. In order to prohibit the disturbance of the public peace and welfare, no person shall collect or remove or cause, permit, facilitate, aid or abet the collection or removal of refuse before 6:00 A.M. or after 9:00 P.M.

Section 9-1-4 Rates

The Council shall from time to time shall set by Resolution the rates and classifications for refuse collection within the Town and shall make such other rules and regulations as may be necessary to properly administer and enforce this chapter

Article 9-2 PREPARATION OF REFUSE FOR COLLECTION

- 9-2-1 Preparation of Refuse
- 9-2-2 Location for Pick Up
- 9-2-3 Lids and Covers
- 9-2-4 Use of Containers

Section 9-2-1 Preparation of Refuse

All refuse shall be prepared for collection or disposed of as follows:

- A. Refuse: The Town practices co-mingled recycling in order to remove the maximum amount of recyclables. All household refuse may be comingled in containers provided by the authorized Collector. All refuse must fit inside the container provided by the collector and the lid must close properly to keep pests such as birds, insects, animals, and other pests from removing refuse from the container.
- B. Brush: Brush shall be cut into pieces no longer than four foot (4') in length and bundled so - that one person can readily load the bundles into a truck or chipper, and shall be piled in neat order - next to the refuse containers. Arrangements must be made with the Town prior to the collection day for brush pick up. Customers are limited to four (4) bags and two (2) bundles per week. If you do not have trash service with the Town there is a \$15.00 charge for this service. Century plants, thorned plants, cacti, and similar plants which are difficult to handle, or may present a danger to collectors, shall be contained in boxes or containers after having been cut to lengths of no more than three (3') feet.
- C. Bulk Material: Disposal arrangements must be made by the customer at the customers expense.
- D. Appliances and Equipment: The customer shall remove or cause to be removed all appliances or equipment classed as refuse from their premises or the public right of way.
- E. Building Materials: All owners, contractors and builders of structures shall upon the completion of any structure, gather up and haul away, at their sole cost and expense, all refuse of every nature, description or kind, which has resulted from the building of such structure, including all lumber scraps, shingles, plaster, brick, stone, concrete and other building material, and shall leave the lot and all nearby premises utilized in such construction in a sightly condition. Residential customers may dispose of small amounts of building materials from time to time, providing it is placed in their container provided by the trash collector and contains no concrete, masonry or soil.

- F. By-Products: Any commercial or manufacturing establishment which by the nature of its operations creates an unusual amount of by-product refuse may be required by the Town to dispose of its own wastes as opposed to having the Town provide the service.
- G. Hazardous Waste: Depositing or disposing of hazardous waste in containers is prohibited.
- H. Pool Chemicals Containers: Pool chemical shall be completely used, or properly disposed of, before disposing of the container. Pool chemical containers shall be emptied and moisture free prior to being placed in containers.
- I. Medical and Infectious Waste: Depositing or disposing of medical or infectious waste, including lancets, syringes and hypodermic needles in containers is prohibited.
- J. Soil and Concrete: Waste soil, concrete, masonry blocks, sod and rocks shall be disposed of by the owner, tenant or occupant of the premises.

Section 9-2-2 Location for Pick Up

- A. All refuse prepared for collection shall be placed at the rear of the lot, at the edge of the alley, and in an easily accessible manner, providing such alley exists and is used as a refuse collection route. Where alleys do not exist or are not open for refuse service, refuse shall be set at the back of the street curb on the sidewalk or parkway, or where no curb exists, at the edge of the roadway. All containers and piles of refuse shall be so located as to not block the alley, sidewalk or gutter, roadway, or otherwise be a hazard to pedestrian or vehicular traffic.
- B. When necessary to set containers at the front curb, they may be set out after six o'clock p.m. of the day preceding regular collection and shall be removed from the curb by six o'clock a.m. of the day after collection.
- C. No person shall allow any obstruction including, but not limited to, parked vehicles, within fifteen feet (15') of a container placed for collection service, or to obstruct collection operations in any other manner.
- D. It shall be a violation of this chapter for any person to interfere with authorized collection of refuse in any way.

Section 9-2-3 Lids and Covers

The lids or covers of all containers shall at all times be kept secure so that flies, other insects and animals may not have access to the contents and shall only be removed while the containers and receptacles are being filled, emptied or cleaned.

Section 9-2-4 Use of Containers

It is unlawful for any person to deposit, or cause to be deposited any refuse in any container that he does not own or is not entitled to use as a tenant.

Article 9-3 OTHER METHODS OF REFUSE REMOVAL

9-3-1 Hauling Refuse

9-3-2 Spilled Refuse

9-3-3 Dumping Refuse

9-3-4 Violations (Added 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)

Section 9-3-1 Hauling Refuse

It is unlawful for any person to haul or cause to be hauled any refuse on or along any public street, avenue or alley in the Town in violation of any of the provisions of this chapter.

Section 9-3-2 Spilled Refuse

Any person hauling any refuse along the streets of the Town shall immediately replace in the conveyance used for such hauling any refuse which may fall upon any street.

Section 9-3-3 Dumping Refuse

It is unlawful for any person to place or cause to be placed any refuse upon any public or private property within the Town, except as specifically permitted in this chapter.

Section 9-3-4 Violations (Other Methods of garbage and Trash Removal) (Added 10/25/16; Resolution 1529; Ordinance 376; Effective 10/26/16)

A violation of this Article shall be punishable under Article 1-8 of the Town Code.



Staff Report

Agenda Item: AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED THE “REFUSE COLLECTION CODE” REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY – Discussion and consideration of Ordinance #380, an ordinance adopting by reference the “Refuse Collection Code” of the Town Code.

Staff Contact: Wayne Debrosky Utilities Director

Meeting Date: November 8, 2016

Background: During the November 8, 2016 Council meeting, the Council will first consider the adoption of Resolution #1532 that articulates the details of the “Refuse Collection Code”. If the Council supports the adoption of the “Refuse Collection”, and has voted to make it a public record by adopting the previous Resolution, then the adoption of this proposed Ordinance would be the final step in the process to formally adopt the “Refuse Collection Code”.

Recommendation: Staff recommends that the Council adopt Ordinance #380, An Ordinance of the Town of Clarkdale, Arizona, Making Changes to the Town Code by Adopting by Reference that Certain Document Entitled the “Refuse Collection Code” Repealing Conflicting Ordinances and Providing For Severability.

ORDINANCE # 380

AN ORDINANCE OF THE TOWN OF CLARKDALE, ARIZONA, MAKING CHANGES TO THE TOWN CODE AND TOWN ZONING CODE BY ADOPTING BY REFERENCE THAT CERTAIN DOCUMENT ENTITLED THE “REFUSE COLLECTION CODE” REPEALING CONFLICTING ORDINANCES AND PROVIDING FOR SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA:

- Section 1: That the certain document known as the “Refuse Collection Code”, one paper copy and one electronic copy which are on file in the Office of the Town Clerk of the Town of Clarkdale, Arizona, which document was made a public record by Resolution # 1532, is hereby referred to, and made a part hereof as if fully set forth in this Ordinance; and
- Section 2: That the document described in Section 1 above is hereby adopted by reference as Chapter 9 Health and Sanitation, Article 9-1 Refuse Collection of the Town Code of the Town of Clarkdale making reference to that chapter; and
- Section 3: That all Ordinances and part of Ordinances in conflict with the provisions of this Ordinance or any part of this document adopted herein by reference are hereby repealed; and
- Section 4: Any portion of the Town Code or Zoning Code repealed by this Ordinance does not affect rights and duties that matured or penalties that were incurred, and proceedings that were begun before the effective date of the repeal; and
- Section 5: If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of this document adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.
- Section 6: A violation of the Article shall be punishable under Article 1-8 of the Town Code.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona, this 8th day of November, 2016.

Doug Von Gausig, Mayor

ATTEST:

APPROVED AS TO FORM:
Boyle, Pecharich, Cline & Whittington, P.L.L.C.
Town Attorneys

Kathy Bainbridge, Town Clerk

Vote:

Passed:

Published:

Effective:



Staff Report

Agenda Item: **REMEDIAL ACTION WORK PLAN (RAWP) FOR UNITED VERDE SOIL PROGRAM (UVSP)** – Discussion and consideration of approving the Town of Clarkdale’s official comments to the Arizona Department of Environmental Quality (ADEQ) on the RAWP for the United Verde Soil Program.

Meeting Date: November 8, 2016

Prepared By: Gayle Mabery, Town Manager

Background: ADEQ published notice in the Verde Independent on October 16, 2016 allowing a 30-day public comment period on the Remedial Action Work Plan for the United Verde Soil Program. The public notice reads as follows:

The Arizona Department of Environmental Quality (ADEQ) has received a Remedial Action Work Plan for the United Verde Soil Program VRP Site, VRP Site Code 512101-00. The work plan covers soil remediation, and was submitted in accordance with Arizona Revised Statutes § 49-175 and § 176. The United Verde Soil Program VRP site consists of soil testing and remediation on eligible residential and commercial properties located in an area of Clarkdale, Arizona near the former United Verde smelter. Contaminants of concern at the site are arsenic, copper and lead. The Remedial Action Work Plan provides details on soil removal, replacement, and landscape restoration on properties where soil testing has shown metals concentrations exceeding risk-based cleanup levels.

The work plan is available for review online at: <http://www.azdeq.gov/notices>, at the Clarkdale Memorial Library, 39 N. 9th St., Clarkdale, (928) 639-2480 and at the ADEQ Records Center, 1110 W. Washington St., Phoenix, (602) 771-4380, or (800) 234-5677, ext. 6022345677. Please call for hours of operation and to schedule an appointment. PARTIES WISHING TO SUBMIT WRITTEN COMMENTS regarding the Remedial Action Work Plan for the United Verde Soil Program VRP site may do so to Freeport Minerals Corporation, Attention: Alicia Voss, 333 N. Central Ave., Phoenix, AZ 85004, avoss@fmi.com.

*Comments may also be submitted to ADEQ, Attention: John Patricki, VRP, 1110 W. Washington St., Phoenix, AZ 85007, jp10@azdeq.gov and reference this listing. **Comments must be postmarked no later than November 15, 2016.***

To request an auxiliary aid or service for accessible communication, please contact ADEQ at (602) 771-2215 or at co2@azdeq.gov or dial 7-1-1 for TTY/TTD Services. Dated this 18th day of October, 2016

The Town of Clarkdale received a copy of the comments that have already been submitted to ADEQ from the National Park Service, and have included those comments in the Council packet for reference.

The Town of Clarkdale's UVSP Work Team, which includes our environmental attorney and our environmental consultant, are in the process of reviewing the RAWP and will be prepared to present a consolidated set of comments for review and approval by the Council at the November 8th Council meeting.

Recommendation: Approval of the Town of Clarkdale's official comments to the Arizona Department of Environmental Quality on the Remedial Action Work Plan for the United Verde Soil Program



United States Department of the Interior



NATIONAL PARK SERVICE
Montezuma Castle and Tuzigoot National Monuments
527 S. Main St.
PO Box 219
Camp Verde, AZ 86322

IN REPLY REFER TO:

November 2, 2016

Freeport Minerals Corporation
Attention: Alicia Voss
333 North Central Ave.
Phoenix, AZ 85004

Dear Ms. Voss,

This letter addresses the National Park Service's (NPS) concerns with the recently released draft *Remedial Action Work Plan (RAWP) for the United Verde Soil Program VRP Site, VRP Site Code 512101-00*. We understand that the plan was submitted in accordance with the A.R.S § 49-175 and specifically addresses the removal of contaminated soil from residential, non-residential, and publicly-owned properties in Clarkdale, Arizona. We do not believe the plan adequately addresses all of the potential environmental impacts of transporting, treating, and storing contaminated soil. The dumping and storage of soil on lands currently owned and managed by the Freeport Minerals Corporation (FMC) is particularly concerning as the proposed Excavated Soil Staging Area (ESSA) and Soil Repository are within a few hundred feet of the Tavasci Marsh. Tavasci Marsh is part of Tuzigoot National Monument (TUZI) and is listed as an Important Bird Area (IBA) and is habitat for many unique and sensitive species of plants, animals, fish, amphibians, and reptiles including the threatened Northern Mexican gartersnake (*Thamnophis eques megalops*).

As you know, TUZI has a long history of interaction with the United Verde Copper Company (UVCC) and its successors. In fact, it was the UVCC that eventually ceded the land to create TUZI. Despite our long relationship, the environmental consequences of mining and copper production have often been at odds with the NPS mission goals. For example, dust storms containing mine tailings often interfered with visitor enjoyment until they were capped and mitigated in 2006. So, while we certainly understand that the remediation of contaminated soil in Clarkdale will help to protect community health, we also believe

that there are many potential environmental impacts that are not adequately considered in the draft RAWP.

The RAWP mentions the need for grading and right-of-way permits issued by the Town of Clarkdale as well as “adherence to permit standards” and consistency with “applicable federal, state, and local requirements”.¹ Will FMC apply for other permits associated with the removal and transport of contaminated soil? Similarly, are there other documents or plans which analyze the potential environmental impacts of the proposed transportation and long-term storage of contaminated soil in more detail? In lieu of these documents, we have the following comments and questions.

The RAWP identifies a protocol for soil transportation that states “trucks will follow a direct route using major roadways and avoid neighborhood streets to the extent practicable...truck drivers will be instructed as to the preferred routes between the property, backfill source, and ESSA prior to initiating hauling activities”.² How many trucks will be operating in the area each day? Where is the backfill source? Will FMC be responsible for damage to the road caused by truck traffic?

Although the RAWP addresses concerns with traffic-flow in residential neighborhoods, it does not discuss the potential impacts caused by dump trucks on Tuzigoot Road, which is owned by the NPS. Tuzigoot Road is a major access route to the Verde River as well as an access route to pedestrian trails on NPS, Arizona State Park, and Forest Service lands. Has FMC considered how increased traffic on Tuzigoot Road will impact recreational activities, Arizona State park and NPS operations, visitor enjoyment, and the local economy?

The RAWP also states that “Any materials spilled during transport will be cleaned up and removed as soon as practicable”.³ To reach the ESSA, trucks must cross over the Verde River via the Tuzigoot Bridge. Does FMC have a more detailed contingency plan for spills that could occur in or around the Verde River?

TUZI contains ancestral Native American sites and historic buildings listed on or eligible for the National Register of Historic Places. These important places interpret human occupation and land use in the Verde

¹ GHD, 2016, *Draft Remedial Action Work Plan Voluntary Remediation Program*, submitted to Freeport Minerals Corporation, Report No 4. Appendix D, pp.1.

² Ibid. pp.12

³ Ibid. pp.12

Valley and represent the enduring cultures and histories of living Native American people. Depending on the expected truck and equipment traffic on Tuzigoot Road, FMC operations may have short and/or long-term visual and auditory impacts to these properties. Similarly, the use of trucks and heavy equipment will also have negative impacts to visitor experience in and around TUZI. More information on the number of trucks and the expected duration of the project would be helpful for assessing and understanding these impacts in more detail.

Appendix A: Dust Control Measures, proposes several techniques to minimize fugitive dust generation from proposed excavation and treatment activities. For activities on FMC land, Peck's Lake is identified as a primary water source for controlling fugitive dust. Water removal has the potential to disturb lake sediments, which reportedly contain metal contaminants.⁴ Project activities have the potential to disturb these sediments, which could then be flushed into Tavasci Marsh. Although the RAWP describes water quality testing for dust control using Peck's Lake water, how will FMC avoid disturbing lake sediments?

Appendix B: Excavated Soil Staging Area Operations Plan identifies a location and techniques for storing, testing, and treating contaminated soils. TUZI is particularly concerned with the proposed location for these activities because it is within a few hundred feet of the Tavasci Marsh, an important component of the Verde River system. This area is also subject to seasonal flooding, particularly during the Summer Monsoon. The development of the ESSA, as defined in the RAWP includes the construction of a berm and the creation of concrete pads and a work area, in part, to control flooding, erosion, and the transport of contaminated soil into the marsh. Has FMC considered the potential environmental impacts of large-scale ground disturbance in and around the Tavasci Marsh?

We understand that the use of Toxicity Characteristic Leaching Procedure (TCLP) and Synthetic Precipitation Leaching Procedure (SPLP) analysis is needed to characterize soils and determine final storage locations for contaminated soils. It is unclear what long-term measures will be taken to manage soil with testing results below the regulatory thresholds identified in the RAWP. We also understand that decommissioning the ESSA will follow extensive soil testing. Does FMC have baseline data on arsenic, copper, lead, and other heavy metals that may already be present in soil from this area? If so, how do these levels compare with the regulatory thresholds identified in the RAWP?

⁴ Ecology and Environment, Inc., 1994, *Expanded site inspection summary report (analysis of ESI results) Phelps Dodge Verde Mine*, submitted to U.S. Environmental Protection Agency, EPA ID# AZD983475773.

Soil removed from Clarkdale contains seeds of invasive plant species including but not limited to tree of heaven (*Ailanthus altissima*), periwinkle (*Vinca major*), and Russian thistle (*Salsola tragus*). The transportation and storage of soils containing invasive seeds will spread these plants into new areas around Tavasci Marsh. The close proximity of the ESSA to the TUZI boundary would mean that the burden to control these invasive plants, as they spread into NPS land, would become the responsibility of the NPS. Does FMC have an invasive plant management strategy for preventing the spread of invasive plants in the ESSA? If so, is a copy of this strategy available for NPS review?

Appendix C: Soil Repository Operations Plan addresses the long-term operation and maintenance of the ESSA and Soil Repository. This includes a proposed annual monitoring and reporting period of ten years. Will copies of these annual reports be provided to the general public and the NPS? What happens after the ten year period? Appendix C identifies monitoring following unplanned events such as fires, floods, heavy rains, and seismic events. If contaminants linked to historic smelter operations or the proposed soil remediation program are discovered in Tavasci Marsh, will FMC take responsibility for coordinating and implementing clean-up efforts on NPS land?

Appendix C identifies a monitoring program following storm water discharge events. Appendix C states that storm water discharge will be “infrequent”.⁵ Does FMC have long-term data that indicates the infrequent nature of discharge events? Similarly, the plan states that, “the receiving stream will be sampled up-gradient and down-gradient of the discharge”.⁶ Considering the proposed ESSA and Soil Repository location, it is unclear what this sentence refers to. Presumably, “the stream” refers to Tavasci Marsh. Will FMC contact NPS in the event that sampling is required?

It is also unclear whether the proposed sampling targets water, sediment, or soil. How will specific sampling locations be chosen? If soil sampling occurs, how deep will samples be taken? A recent USGS study⁷ found copper, arsenic, and other heavy metals within marsh sediments. If FMC proposes to sample soil, how will new contamination be distinguished from existing heavy metals? Will this information be shared with NPS and the public?

⁵ GHD, 2016, *Draft Remedial Action Work Plan Voluntary Remediation Program*, submitted to Freeport Minerals Corporation, Report No 4. Appendix C, pp.3.

⁶ Ibid.

⁷ Beisner, Kimberly R., Nicholas V. Paretti, Anne M.D. Brasher, Christopher C. Fuller, and Matthew P. Miller. 2014, *Assessment of Metal and Trace Element Contamination in Water, Sediment, Plants, Macroinvertebrates, and Fish in Tavasci Marsh, Tuzigoot National Monument, Arizona*: U.S. Geological Survey Scientific Investigations Report 2014-5069.

NPS technical staff are continuing their review of the proposed plan and may have additional comments and questions. While we appreciate the opportunity to review the RAWP, it is regrettable that the NPS was not consulted regarding the development of the plan. We would appreciate the opportunity to discuss our concerns with you in more detail and hope to work with FMC in the development of this and future plans. If you have any questions or concerns, please contact me at dorothy_firecloud@nps.gov or (928) 567-5276 ext.223.

Sincerely,

A handwritten signature in black ink that reads "Dorothy FireCloud". The signature is written in a cursive, flowing style.

Dorothy FireCloud
Superintendent

xc: John Patricki, ADEQ
Doug Von Gausig, Town of Clarkdale



TOWN OF CLARKDALE

P.O. Box 308, Clarkdale, Arizona 86324
928-639-2400 FAX: 928-639-2409

November 8, 2016

Arizona Department of Environmental Quality
Voluntary Remediation Program
Attention: John Patricki
1110 W. Washington Street
Phoenix, AZ 85007

RE: United Verde Soil Program – Remedial Action Work Plan (RAWP) Comments

Dear Mr. Patricki:

The Town of Clarkdale appreciates the opportunity to review and comment on the RAWP for Freeport Minerals Corporation's soil remediation project being performed in Clarkdale.

The Clarkdale Town Council reviewed and approved the attached comments relating to the RAWP at their Town Council meeting held November 8, 2016.

While a number of our comments simply seek to provide clarity and accuracy to certain statements within the document, others focus on the following larger issues that we consider substantive flaws in the RAWP, including:

- The Town of Clarkdale has concerns about the proposed location for the ESSA and the Soil Repository. Both lie on property that is currently zoned for residential use by Yavapai County, and both areas are within 100 feet of property within the Town of Clarkdale which has a zoning entitlement for Verde Valley Ranch, a proposed mixed-use development with 900 residential units.
- Both the ESSA and the Soil Repository are also immediately adjacent to Tavasci Marsh, which is a component of the Verde River system, a part of Tuzigoot National Monument and habitat for many unique and sensitive species. An Aquifer Protection Permit (APP) must be obtained to own or operate a facility that discharges a pollutant either directly to an aquifer, to the land surface, or the vadose zone in such a manner that there is a reasonable probability that the pollutant will reach an aquifer. Due to proximity to Tavasci Marsh, groundwater is expected to be shallow, possibly within a few feet of the bottom of the currently existing lined "pond" that was designed and constructed in the past, and never utilized, as an effluent holding facility. It is reasonably probable that metals or soil containing elevated concentrations of metals will impact the shallow aquifer, Tavasci Marsh, and Verde River. That said, Freeport must demonstrate that using the existing lined retention pond to contain impacted soil will be compliant with the APP program and be the most appropriate BADCT as described in this RAWP.
- The RAWP lacks any reference to the replacement soil for the project. At a minimum, the plan should address the location and source for replacement soil for the project, the sampling and analysis protocol that will be used for the replacement soil, any transportation impacts relating to the replacement soil, and any permitting issues that may arise due to the location and process for

excavating replacement soil. Backfill or replacement soil should be selected to ensure that it is a suitable replacement for the removed native soil in characteristics, texture and structure.

- Property owners who participate and have their properties remediated should be offered the option of having the interior of homes cleaned after the remediation process in the event that dust may have gotten into the house during the remediation process. (Note: This addition aligns with a statement by a FMI representative at the May 19, 2015 Clarkdale public meeting.)
- Section 3.4 asserts that “The material excavated from the cleanup properties that is hauled to the ESSA will not be considered to be hazardous waste pursuant to the applicable regulations of RCRA because it remains within the area of concern, therefore transporters of this material will not require licensing as hazardous waste transporters.” Freeport needs to better explain how the ESSA and Soil Repository can be considered the same “area of concern” as each individual property in the designated Project Area within the Town.
- The RAWP lacks specifics for planning for increased commercial traffic and other impacts on Tuzigoot Road and/or Sycamore Canyon Road. Tuzigoot Road is owned and maintained by the National Park Service, and is often used by pedestrians who recreate in the area.
- Freeport needs to explicitly say in this RAWP that Freeport will be the generator of any and all solid and hazardous wastes associated with the United Verde Soil Program.
- There is no reference to coordination with Yavapai County on permitting requirements that may be necessary due to the location of the proposed Excavated Soil Staging Area (ESSA) and the Soil Repository within residentially zoned property located in Yavapai County.

Thank you again for the opportunity to comment. We trust that the Town of Clarkdale’s comments, along with those of other agencies, citizens and stakeholders in the Clarkdale-area will be given due consideration, and result in amendments to the RAWP to adequately address our concerns. Please do not hesitate to contact me if you have any questions.

Sincerely,

Gayle Mabery
Town Manager

c: Alicia Voss, Freeport Minerals, UVSP Project Manager
Clarkdale Town Council



TOWN OF CLARKDALE

P.O. Box 308, Clarkdale, Arizona 86324
928-639-2400 FAX: 928-639-2409

November 8, 2016

Town of Clarkdale Comments on Remedial Action Work Plan for the United Verde Soil Program

The Town of Clarkdale has completed a review of the draft Remedial Action Work and have the following comments and concerns regarding the content of this document. Italicized text indicates text to be added, strikethrough text indicates text to be deleted.

1. Introduction:

Third paragraph/first sentence should be rewritten for accuracy. Both ADEQ and the Town of Clarkdale have raised question in the past as to the reason that the initial Study Area was selected and how that Study Area will be expanded in the future. We recommend the following amendment to improve the accuracy of the statement:

The Study Area, *exclusive of the original smelter site*, includes ~~most~~ *some* properties likely to have been affected by ...

1.1 First paragraph – The objective of the UVSP ... within ~~individual~~ ...

Comment: The Town requests clarification of Table 1.1 as to which Cleanup Level will apply to Town Parks.

2. Cleanup Activities

Comment: The RAWP does not include any details relating to the replacement soil that will be used for this project.

3.1.1 Property Access

Third paragraph/last sentence – property owner *or their representative*

3.1.2 Town of Clarkdale Permits

First paragraph/First sentence: ... to grading and rights-of-way permits *and any other legal requirement of the Town of Clarkdale*. Second sentence: excavations ~~greater than or equal to 50 cubic feet~~, a grading permit and rights-of-way permit, ~~if necessary as required~~, will be...

Comment: Article 7-11 Excavation and Grading of the Town of Clarkdale Town Code as amended by Ordinance #371 requires a permit for **ALL** projects involving cut and fill of materials. This requirement is not based on the quantity of cut and fill.

3.1.3

Second paragraph/third sentence – remediation *may* Flowerbeds (unless the owner requests otherwise); *and other landscaped treatments* and ...

Fifth paragraph/second sentence – delete the word physically.

Comment: Language should be added to this paragraph addressing the process for relocating/boarding pets, poultry and livestock.

Language should be added that CPC will arrange and pay for off-site storage if required as previously committed to by FMI representatives.

3.1.4 Excavation Activities

Fourth paragraph/second sentence - ... maximum depth of two feet *except in circumstances where testing at the 2-foot depth indicates a deeper excavation is warranted*, however ...

Comment: This changes aligns with a statement by a FMI representative at the May 19, 2015 Clarkdale public meeting.

Seventh Paragraph – Add the following language: *Utility companies shall be notified of any damage to their infrastructure and a Town of Clarkdale permit shall be required for repair to water, gas and electric lines and infrastructure.*

Eleventh Paragraph – Add the following language: *Removal or location of existing fences shall be noted on the original Town of Clarkdale grading permit submission if possible, or submitted as an addendum to the original permit to assure accuracy of the permanent property file records at the Town of Clarkdale.*

3.1.5 Loading Excavated Materials

Third Paragraph/second sentence: Dust control *methods in compliance with Town of Clarkdale regulations* will be maintained ...

3.1.6 Noise Control

Add the following language: *Article 10-1-11 of the Town of Clarkdale Town code shall apply to noise complaints submitted to the Town of Clarkdale, regardless of the CPC's assessment.*

3.1.7 Dust Control

Comment: Per Section 7-11. Q of the Town of Clarkdale Town Code, either a dust palliative or reclaimed water shall be used for the alleviation or prevention of dust. Dust control methods consistent with the



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2012 International Building Code as adopted by the Town of Clarkdale and with Article 7-11 Excavation and Grading of the Town Code shall be enforced including the cessation of all activity during active red flag warnings.

3.1.8 Access for Property Residents

Add the following language: *Should residents need to relocate during the remediation, the CPC or FMI will work with those residents and will cover those expenses.*

3.1.9 Decontamination Procedures

Add the following language: Property owners will be offered the option of having the interior of homes cleaned after the remediation process in the event that dust may have gotten into the house during the remediation process. (Note: This aligns with a statement by a FMI representative at the May 19, 2015 Clarkdale public meeting.)

Comment: This section should address the plan for rainy days.

3.1.10 Backfill and Revegetation of Excavated Area

First paragraph, last sentence: In addition, all excavations ~~over 50 cubic feet~~ will require ...

Second paragraph/Add the following language: *Backfill or replacement soil should be selected to ensure that it is a suitable replacement for the native soil in characteristics, texture and structure and conforms to the approved grading permit.*

Sixth paragraph: Replace the word desert with xeriscape.

Comment: Scheduling for the watering of any landscape should coordinate with the Town of Clarkdale's Drought and Water Shortage Preparedness Plan. In addition, consideration shall be given as to whether the time of year is appropriate for planting and replanting, given any watering restrictions in place at the time.

3.1.11.2 Repair Work

Comment: Is there an appeal method for property owners?

3.2 Excavated Soil Staging Area

Comments:

Freeport needs to better explain its plan relating to activities contemplated at the Excavated Soil Staging Area (ESSA). This section says that the property (the ESSA and Soil Repository) is owned by Freeport and that *"at its own discretion, elect to treat the weekly excavated stockpile as described in the Excavated Soil Staging Area Operations Plan (Appendix B) if there is a history of untreated weekly excavated*

stockpiles exceeding the TCLP and/or SPLP threshold concentrations". Freeport's concept of "area of concern" is too broad and not consistent with the Resource Conservation and Recovery Act (RCRA) or the National Contingency Plan (NCP) and cannot include commercial, public, residential properties **and** the ESSA and Soil Repository which are approximately 1.0 mile from the subject commercial, public and residential properties being remediated; in general, the entire Town, public land and land owned by Freeport cannot be considered an "area of concern". If Freeport desires to apply the "area of concern" concept allowed by RCRA, that "area of concern" must be limited to the subject and impacted properties being remediated, and the ESSA and Soil Repository not be included as part of the "area of concern". That said, treating "Characteristic Hazardous Waste" at the ESSA must be consistent with RCRA and a Treatment Storage and Disposal Part A and Part B permits must be obtained before these activities can be allowed.

Section 3.2 does not describe how many samples will be collected per cubic yard of potentially "Characteristic Hazardous Waste" and how those samples will be handled to determine the impacts contained in the excavated soil removed from the subject properties. Appendix B does contain further information; however, Freeport should do a better job explaining the details associated with federal regulations relating to collecting representative samples, how Freeport is going to employ RCRA requirements, specifically "Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, also known as SW-846, in order to be consistent with RCRA. Because the ESSA likely cannot be part of the overly broad "area of concern" currently being contemplated, Freeport needs to describe how these activities would be completed at each subject property, rather than the ESSA, in order to not violate RCRA and transport potentially "Characteristic Hazardous Wastes" on Town, County and Federally owned roads without proper permits. Further, Freeport needs to explain how and where "Characteristic Hazardous Wastes" will be disposed in a permitted Hazardous Waste landfill, and not treated at each subject property contained within the more reasonably sized "area of concern" because treatment at each property is not desirable nor practical.

What operations, maintenance, and monitoring activities will Freeport implement to ensure that this area is not disturbed, waste is not removed, waste is not blown and spread, waste is not eroded by surface water, and if and what type of groundwater monitoring will be implemented to ensure that a groundwater and/or surface water resource is not impacted in the future?

How will the excavated soil be profiled and managed if it fails either TCLP or the SPLP testing procedures?

The area for the stockpiled material is outside the jurisdiction of the Town of Clarkdale and under the authority of Yavapai County. The RAWP does not address any permit requirements from Yavapai County.

3.3 Final Excavated Soil Management

Comments: Section 3.3 does not describe how the soil will be "profiled" and managed if that soil fails either the TCLP or the SPLP testing procedures. As stated above, Freeport's "area of concern" concept is not likely consistent with RCRA and excavated soil from each property must be properly characterized and "profiled" before non-hazardous soil is relocated to the ESSA or Soil Repository, or to a Hazardous Waste Landfill depending on the TCLP or the SPLP results. Additionally, discrete samples must be



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collected at the bottom of each excavation so that at a minimum property owners understand deeper soil conditions at their property to avoid being exposed to unacceptable soil impacts; or, these data should be used by Freeport to further excavate impacted soil below 24 inches should soil impacts exceed the Residential Cleanup Levels (CLs).

This section also needs to address what happens to water that accumulates in the lined pond. Additionally, if the lining in the pond is integral to the project, Freeport should demonstrate that the integrity of the liner is appropriate for the project. The liner was placed in the pond more than 10 years ago, has been exposed to the elements, and has had very little, if any, maintenance since that time.

3.4 Soil Transportation

Comments:

The borrow soil site needs to be identified. Documentation needs to be included as to how many samples per cubic yard will be collected and analyzed to determine the borrow soil is from a suitable source. Freeport needs to describe how they are going to employ US Environmental Protection Agency (USEPA) guidance, or specifically SW-846 to determine the appropriate numbers of samples will be collected, treated, and analyzed. In addition to analyzing borrow soil for arsenic, copper, lead, tin, zinc, and boron; Freeport needs to also analyze potential borrow soil for benzene, toluene, ethylbenzene, and xylenes (BTEX), and for volatile organic compounds (VOCs).

All transportation shall conform with the approved traffic plan for the initial grading permit.

Section 3.4, 5th paragraph says *“The material excavated from the cleanup properties that is hauled to the ESSA will not be considered to be hazardous waste pursuant to the applicable regulations of RCRA because it remains within the area of concern; therefore, transporters of the material will not require licensing as hazardous waste transporters.”* This Town disagrees with Freeport’s concept of “area of concern”. Freeport’s concept is too broad and not likely consistent with RCRA or the NCP and cannot include commercial, public, residential properties **and** the ESSA and Soil Repository which are approximately 1 mile from the subject commercial, public and residential properties being remediated; in general, the entire Town, public land and land owned by Freeport cannot be considered an “area of concern”. If excavated soil at each subject impacted property fails TCLP analyses, then Freeport needs to comply with RCRA in its entirety. Likewise, Freeport appears to assume it need not comply with handling and transportation requirements because of the CERCLA exemption described in §121(e) of CERCLA, 42 USC 9621(e). Freeport needs to substantiate why it need not comply with these requirements. Even where it applies, this CERCLA permit exemption only applies to work completed onsite and requires substantive adherence to this Section and permit requirements. Additionally, Freeport needs to explicitly say in this RAWP that Freeport will be the generator of any and all solid and hazardous wastes. If Freeport desires to apply the “area of concern” concept allowed by RCRA, that “area of concern” must be limited to the subject and impacted properties being remediated, and the ESSA and Soil Repository not be included as part of the “area of concern”. That said, treating “Characteristic Hazardous Waste” at the ESSA must be consistent with RCRA and a Treatment Storage and Disposal Part A and Part B permits must be obtained before these activities can be allowed. Freeport should describe in writing how their “area of concern” concept is allowable and consistent with Federal and State laws and regulations as they apply to this RAWP.

Eight Paragraph/last sentence – Police reports for any incident on public property shall be filed with the Town of Clarkdale Police Department.

4. Construction Management Considerations

4.1 Scheduling of Cleanup Properties

Comment: The regulatory reference is not appropriate for handling waste soil, profiling waste soil, transporting waste soil, accumulating waste soil, treating waste soil to remove “Hazardous Wastes” “Characteristics”, or finally disposing waste soil to the land.

Comment: Recreational properties need to be referenced in the scheduling protocol.

5. Reporting

Comment: The Town of Clarkdale requests electronic version of all reports related to Town owned property, including but not limited to complete laboratory testing reports.

5.2.1 Weekly Documentation

Add Total number of parcels declining remediation

Comment: Will maps at the parcel level be included in this weekly documentation? Will the Town of Clarkdale receive copies of these weekly reports?

5.2.2 Monthly Reporting

Comment: The Monthly Progress Reports that have been delivered to ADEQ to date do not include the level of detail as described in the RAWP. Those submitted so far have not included the narrative descriptions relating to significant developments during the preceding period, including actions performed and problems encountered, the activities anticipated over the next month, schedule of anticipated actions, and anticipated problems and planned resolution of past or anticipated problems.

5.3 Final Report

Add the following: The Town of Clarkdale and the public will be provided the opportunity to comment on the Final Report.

6. References

Fifth bullet point add: as revised by Ordinance #371, Resolution 1509 on 11/10/15; Effective 12/11/15.



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Appendix A Fugitive Dust Control Plan

1. Introduction: Second Paragraph/Second Sentence – add the Town of Clarkdale to the list of observations of dust.
3. References: add the following language to the second bullet point: as amended by Ordinance #371

Comment: The Town requests incorporating provisions for stationary dust sampling stations to be placed up- and downwind from the larger work areas to confirm dust control measures are adequate.

Appendix B Excavated Soil Staging Area Operations Plan

Comment: The Town of Clarkdale has concerns about the proposed location for the staging area. The area is immediately adjacent to property within the Town of Clarkdale which has a zoning entitlement for Verde Valley Ranch, a proposed mixed-use development with 900 residential units. The subject property is under the administration of Yavapai County and zoned for single-family development.

An Aquifer Protection Permit (APP) must be obtained to own or operate a facility that discharges a pollutant either directly to an aquifer, to the land surface, or the vadose zone in such a manner that there is a reasonable probability that the pollutant will reach an aquifer. The ESSA is within a few hundred feet of the Tavasci Marsh, a component of the Verde River system. As such, groundwater is expected to be shallow, possibly within a few feet of the bottom of the currently existing lined “pond” that was designed and constructed in the past for a different purpose. It is reasonably probable that metals or soil containing elevated concentrations of metals will impact the shallow aquifer, Tavasci Marsh, and Verde River. There are numerous requirements specified in the APP program, however, special attention should be paid to the following items: 1) Best Available Demonstrated Control Technology (BADCT, pronounced “bad cat”). Freeport must show that the best demonstrated control technology will be used by the facility. 2) Freeport must show that Aquifer Water Quality Standards (AWQS) will not be exceeded in the aquifer at the point of compliance as a result of discharge from the facility. If the level of a pollutant in the aquifer already exceeds the AWQS at the time of permit issuance, the aquifer must not be further degraded as a result of the discharge. 3) Freeport must show that they have the financial and technical capability to operate in accordance with the permit. In most cases, individual permits are issued for the operational life of the facility. That said, Freeport must demonstrate that using the existing lined retention pond to contain impacted soil will be compliant with the APP program and be the most appropriate BADCT as described in this RAWP.

Figure B-1

This figure shows the locations for the ESSA and the Soil Repository Locations. Has Freeport evaluated if there any jurisdictional waters of the United States regulated by the Clean Water Act or the Clean Water Rule? In addition, has Freeport evaluated the actions associated with this RAWP that may trigger any evaluation under the Nation Environmental Policy Act?

Section 2.1.2 Erosion Control

Erosion control measures should be maintained in perpetuity around the Soil Repository, not just around the ESSA during the duration of the Soil Program cleanup activities. This would likely be required by the APP program which Freeport should be required to implement as it relates to this RAWP.

Section 2.2.1 Movement of Material within the ESSA

6 inches of suitable aggregate placed on top of a geotextile fabric should be considered the minimum control to minimize tracking soil, dust, or mud onto public right-of-ways. Freeport should also be required to make provisions for street sweepers and exit grids if the minimum control fails to contain soil within the ESSA. This would likely be required by the APP program which Freeport should be required to implement as it relates to this RAWP.

Section 2.2.2 Initial Material Segregation and Soil Characterization

Describes the numbers of grab samples to be collected from each stockpile and is reasonable as long as each pile is no greater than 1,000 cubic yards and each grab sample is collected from approximately equally spaced locations on and within the stockpile. Because potentially “Characteristic Hazardous Waste” should not be transported to the ESSA for sampling, profiling, and treatment because many provisions of RCRA could be violated, smaller soil stock piles should be created and managed at each individual property; therefore, limiting the size of each stockpile making the stockpile sampling plan reasonable.

2.2.3 Soil Management, Treatment and Storage

This section says *“FMC understands that management of excavated soil within the ESSA will be on a temporary basis, and soil may only be managed at this location for a maximum of one year from the time the soil was first placed in the ESSA until the soils can be placed into the Soil Repository”*. As described above, no “Characteristically Hazardous Waste” should be transported to the ESSA unless the proper permits are in place. Additionally, Freeport should describe how it will comply with State law relating to handling and managing non-hazardous waste at this location.

2.2.5 ESSA Decommissioning

This section repeatedly references “site-specific cleanup levels (CLs) for commercial land use”. To our knowledge, there is no site-specific cleanup level associated with the UVSP for “commercial land use”.

2.2.5.1 Sampling

This section says *“Each of the working areas of the ESSA... will be divided into 5,000 square foot grids and sampled for arsenic, copper, lead, tin, zinc and boron. Each grid will be sampled by collecting nine equally-spaced grab samples from within the grid.”* This section goes on and says *“If laboratory*



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analytical results for a given grid are below the site-specific cleanup levels (CLs) for commercial land use, the soils within the grid will be eligible to remain in place or be used as restoration material (e.g., soil associated with storm water diversion berms)." Immediately adjacent to the proposed ESSA, and lying only 100 feet from the Soil Repository, lies property that has an approved Development Agreement for a mixed use Planned Area Development in the Town of Clarkdale. That said, sometime in the future this immediately adjacent property may be residentially developed and Residential CLs should be used, **not** "Commercial" (Non-Residential) CLs to determine if remediation is required at the ESSA or if the soil is eligible to remain in place. In addition, if Freeport is compliant with the APP and implements a proper Storm Water Pollution Prevention Plan (SWPPP), using soil that exceeds the Residential CLs cannot and should not be used as "restoration material" because impacts would likely be spread to nearby sensitive habitats and surface waters.

2.3 Storm Water Management

This section seems to infer that storm water controls will be in place and managed only during the Soil Program. Freeport needs to make it clear that a compliant SWPPP will be developed and implemented in perpetuity to prevent erosion or water runoff from the Soil Repository. This is most important because there is a surface-water body and a sensitive marsh nearby that could receive eroded and possibly contaminated soil or water. This would likely be required by the APP and SWPPP programs which Freeport should be required to implement as they relate to this RAWP.

Appendix C Soil Repository Operations Plan

2. Site Work

2.1.1 Clearing Grubbing and Grading

Comment: Six inches of suitable aggregate placed on top of a geotextile fabric should be considered the minimum control to minimize tracking soil, dust, or mud onto public right-of-ways. Provisions should also be made for street sweepers and exit grids if the minimum control fails to contain soil within the ESSA.

2.1.2 Erosion Control

Comment: Erosion control measures should be maintained in perpetuity around the Soil Repository, not just around the ESSA during the duration of the Soil Program cleanup activities. This would likely be required by the APP program which Freeport should be required to implement as it relates to this RAWP.

2.2.4 Restoration

Comments: How will water drain from the lined basin? Will the Soil Repository be capped at ground level, or will there be a mound created at the site?

2.6 Long-Term Operation and Maintenance

Comments: Section 2.6 – Freeport plans to annually inspect, more frequently after a heavy rain, document, repair, and submit to ADEQ an annual report. The Town disagrees that management of this facility should stop after 10 years and Freeport must justify that 10-year limit in terms of regulatory programs that should be followed such as the APP and SWPPP.

The section also says *“At the completion of the UVSP, a declaration of environmental use restriction (DEUR) will be added to the property where the soil repository will be located.”* Freeport should clarify that this DEUR will be prepared and filed at the beginning of the active UVSP, before soil is received by the facility. Additionally, Freeport must describe their financial assurance plan, compliant with the APP or some other appropriate requirement.

There is no mention that groundwater monitoring wells will be installed and sampled to confirm that the “soil cap” and “liner” is functioning properly and that contaminants are not leaching into groundwater. At a minimum, Freeport should justify why they do not plan to monitor groundwater. This would likely be required by the APP program which Freeport should be required to implement as it relates to this RAWP.

Fourth paragraph/Notation should be added that the rainfall will be measured at the nearest weather monitoring station at Tuzigoot National Monument.

Appendix D Storm Water Management Plan

1. Introduction

Comment: Does Freeport intend to submit the required Notice of Intent (NOI) which is required by the referenced General Permit. If Freeport does not plan to submit a NOI how can Freeport be compliant with the referenced General Permit?

2. Regulatory Basis

Comments: Freeport should confirm that they will be compliant and follow the most current General Permit and that General Permit will require a SWPPP. Why is Freeport planning to use what appears to be an expired General Permit (AZG2008-001) that may have expired February 28, 2013.

Freeport needs to confirm that the ADEQ Water Quality Division specifically reviews and approves this plan. It appears that Freeport’s Storm Water Management Plan (SWMP) may be deficient and not a compliant Storm Water Pollution Prevention Plan (SWPPP).

3.2 Erosion Control Measures

Comment: This section says *“Erosion control measures will be implemented for the duration of the voluntary soil cleanup operations in the ESSA, BSA, and Soil Repository.”* Freeport should clarify if this also means during the active program, the 10-year inspection period, and thereafter.



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4. Inspection and Maintenance

Comment: Reference should be incorporated that the monitoring station at Tuzigoot Monument shall be used so the location accurately reflects rain events at the Soil Staging Area and Soil Repository.

This section says that the storm water management features will be inspected as soon as practicable. If Freeport plans to implement the referenced General Permit (AZG2008-001) then the permit requires that an inspection occurs within 24 hours of the end of each rain event of 0.5- inches or greater; not when practicable, and not after $\frac{3}{4}$ inches of rain. Freeport should develop and implement a SWPPP compliant with the referenced General Permit or the most current and applicable General Permit.

5. Monitoring Program Review and Modification

Comment: This section says that if a discharge occurs, the receiving stream will be sampled. Because this SWMP does not appear to be a complete SWPPP, discharge conditions and the receiving stream are not acknowledged or described. At a minimum, Freeport should implement a compliant SWPPP and ensure that there are no discharges to any receiving stream or sensitive habitats.