

Minutes of a Special Meeting of The Common Council of The Town of Clarkdale
Held on Tuesday, March 25, 2003, in the
Men's Lounge of the Clarkdale Memorial Clubhouse, Clarkdale, Arizona.

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 25, 2003 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse.

Town Council:

Mayor	Michael Bluff
Vice Mayor	Ellie Bauer
Councilmember	David Leibforth
	Rex Williams
	Tom Groom

Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Planning Director	Lyle Richardson
Fire Chief	Berry Van Hook
Acting Police Chief	Pat Haynie
Finance Director	Coleen Gilboy
Grants Administrator	Beth Escobar
Planner II	Stephen Brown
Planner I	Ry Smith
Planning Assistant	Linda Noland
Admin. Assistant	Charlotte Hawken

Others in attendance: Robyn Prud'homme-Bauer, Sandy Martin, Lyle Nielsen, Phil Bourdon, John Biava, Richard Kevin, Earl Bauer, Sandy Boothe, Pat Williams, Paul Handverger, Margie Beach, Dave Beach, Shelby Maynard, Cate Mugasis, Norman Miller, Robert Jons, Lew Dodendorf, Mike Willett, Andy Groseta, and others who did not sign in or whose names were illegible.

CALL TO ORDER - Mayor Bluff called the meeting to order at 5:58 p.m. and noted that all Council members were present.

Mayor Bluff noted that without objection he would move Item 3, the Consent Agenda, after Item 4, the presentation on the State Route 89A Signalized Access Plan.

Jerry Brown, 2460 Hackberry Lane, stated that regarding Mayor Bluff letter he objects to comments that are not founded in facts. He stated that he wasn't sure the letter was and act of the Council and it seems to be a response to a plea from

PUBLIC COMMENT - **Sandy Martin**, 771 Calle Medina, told the story of a village.

Sandy Boothe, 123 Sunset, stated she has learned there are things the town cannot do regarding water, including denying building permits, preventing people from wasting water, forcing the use of low-flow devices or controlling the price of water. She stated she hopes the town is planning to use a tiered price system once it co-owns a water company. She stated that one thing the town can do is to oppose keeping the Verde Valley parcels part of the Ruskin land trade. She stated that, as an opponent to the trade, she found the reversal of the Council's position on the trade disappointing. She stated she recently read a copy of a letter from Mayor Bluff to Senator McCain reiterating the 4 to 1 Council support for the trade. She stated his comment in the letter that the trade would save water. She stated the reality is that it would just shift water users from up there to down here. She asked how promoting this trade going to help the residents who do not have water. She heard Mr. Halberson, a retired USGS hydrologist, recently gave a talk where he stated there are three critical things: 1) the Verde Valley is currently using water from underground storage, using more than is recharged, and we cannot afford to take out any more. 2) the USGS data proves that pumping ground water decreases the flow of the river. As the water table drops we are stealing water from the Verde River. 3) Instead of helping the current water users this trade as currently designed, will make a bad water situation disastrous. She stated that it looks to her that the issue is careful informed growth versus recklessness and urged the Council to support the removal of the Verde Valley parcels from this land trade.

Mr. Ruskin, who is not a constituent of this community. The letter talks about saving water and he thinks that is debatable and it confuses the issue that we don't have the right to take that water out of the river. He stated the letter says we need more

private land for growth and he thinks we already have more privately owned land than we will have water to supply. He returned to his first objection that no one knows what the details of that exchange are going to look like since the house bill died and so to endorse something we do not know the facts about is disappointing.

Paul Handverger, Cottonwood resident and geologist, stated the Verde Valley trade brings in a section of land that he has documented that there is a well on it and that water has a direct one on one effect on the water supply at Haskell Springs. Accepting new land that will have people on it will suck dry even more the town's water supply. Cottonwood Water Works has applied for a drill hole within 2000 feet of Haskell Springs and have recognized the effect on the hydrology with a clause in the application that they want to know what happens to every well within 2000 feet. The Ruskin land trade is also within 2000 feet of the drill hole. If that happens and there an increase in population, water will be a problem. He stated he does not understand supporting the land trade at this time as it is a rush into something we don't know enough about.

STATE ROUTE 89A SIGNALIZED ACCESS PLAN - A presentation on the State Route 89A Signalized Access Plan. Kim Carol, Project Manager and Traffic Engineer with Kirkham Michael, charged with conducting a traffic engineering study that will address access control along State Route 89A from Cement Plant Road to Black Hills Drive, presented phase one of the access control plan, which addresses a signalized access management plan. The plan shows traffic lights at Cement Plant Road, Lisa Street/Lincoln Drive, Scenic Drive/Yuma Street, and a realigned Black Hills Drive. There was discussion about the following issues:

Regarding Item D, Town Manager Mabery stated that the Office of the Attorney General may not be the best legal representative because of their relationship as another state agency when there is speculation that the State Treasurer's office may

- 1) any distance less than ½ mile reduces capacity on the highway
- 2) the realignment of Black Hills Drive near the highway, directed by ADOT, to maintain an appropriate distance between signals, direct traffic to the signal and increase safety.
- 3) the possible use of a roundabout at Cement Plant Road.
- 4) the cost of obtaining right of way, estimated at \$4,000,000, which is an ADOT expense.
- 5) Next Kirkham Michael will look at various scenarios for the entire corridor.

Mayor Bluff opened public comment. Margie Beach, Phoenix Cement Company, stated that the number of trucks has reached 120 per day at two trips (in and out) each. She stated the drivers have said a roundabout does not work for trucks.

Gene Miller, CTI driver, stated that his time on each trip increases every year because of traffic and he does not want a roundabout.

Andy Groseta, Cottonwood, suggested that the Groseta Ranch master plan studies be included in the Kirkham Michael work and asked that they meet with property owners.

John Biava, 821 Richard Street, stated he wants the town to wait as long as possible to put a light at Lisa Street.

Sandy Martin, 771 Calle Medina, stated she thinks Americans are not ready for roundabouts.

Mayor Bluff closed public comment.

CONSENT AGENDA - Councilmember Leibforth pulled Item D and Councilmember Williams pulled Item E. Without objection the Council adopted Items A, B, C, F, G and H.

have some role in the controversy. She noted that Town Attorney Pecharich advises sending a letter to the Attorney General's office asking for an extension of the response time to April 15th so the Town can meet first with other stakeholders to

determine whether it is in their best interests to have the Attorney General's office handle the suit or contract with outside legal council.

Councilmember Leibforth moved to direct staff to issue a letter requesting an extension of the response time frame to April 15, 2003. Vice Mayor Bauer seconded and the motion passed unanimously.

Regarding Item E, Town Manager Mabery stated this had to do with the Institute asking other entities to forego their own grant applications this year in order for the Institute to apply for the entire available funds for open space preservation and staff recommends adoption only if all Verde Valley communities agree. Mayor Bluff moved to adopt the staff recommendation to approve the request by the Verde Valley Land Preservation Institute to submit a letter of support for their grant application to the USFS, if all the other five communities in the Verde Valley choose to do the same. If the rest of the communities are not in consensus, Clarkdale would reserve the right to submit for funding under the program for a Clarkdale specific project. Councilmember Williams seconded and the motion passed unanimously.

A. **Agreement** - Approval of an intergovernmental agreement continuing participation in the Verde Valley Employee Benefit Trust for the purpose of securing insurance and health benefits jointly.

GRIEVANCES - Consideration of grievances received regarding the Centerville Drainage Project. Grants Administrator Escobar, referring to a map included as **Exhibit A**, summarized that one of the drainage goals was to get the water to run on the Avenidas to the washes. The engineering contract went to WFM and the construction contract to Johansen. She stated that one month before the beginning of construction a \$300,000 State Special Projects grant was received for paving streets. The original grant included paving only new streets, including the south terminations of Figueroa, Rosas, Tomallo, the extension of Avenida Centerville, and the Tomallo north termination because the pavement in those areas was either

B. **Agreement** - Approval of a membership agreement with the Verde Valley Employee Benefit Trust.

C. **Agreement** - Approval of a payment agreement with the Verde Valley Employee Benefit Trust.

D. **National Century Financial Enterprises** - Approval to become a party in a mutual fund class action suit with the State Treasurer and the Office of the Attorney General against National Century Financial Enterprises.

E. **Letter of Support** - Approval of submitting a letter supporting the application by the Verde Valley Land Preservation Institute for a grant to the Rural Communities Program for regional planning.

F. **Fee Waiver** - Approval of a request by Town Staff and the Parks and Recreation Commission to waive booth rental fees for Town sponsored Farmer's Markets and Summer Concerts.

G. **Grant Application** - Approval to submit a grant application to the Arizona Department of Public Safety Criminal Justice Enhancement Funds grant program for communications upgrades and crime prevention.

H. **Grant Application** - Approval to submit a grant application to the Library of Congress Family Literacy Project grant program for a family literacy project.

non-existent, non-continuous, or really poor. The question before the Council presented by the residents at the north end of Calle Medina was why the pavement wasn't extended all the way to the residences. She stated the project engineer was at this Calle Medina site three times during the project. She stated that there was existing pavement which ran a little past the Carver residence that was about ten feet wide and fifty feet long that was not replaced by pavement. It was torn up because of poor quality and the entire area was regraded to direct drainage to Deception Wash. She stated that all grant funds have been expended. The engineer has walked through and signed off on the project and is satisfied with the drainage issues.

She noted that a recent rain storm demonstrated that the way the engineer designed it works, in that water is running away from the residences off into the washes. Town Manager Mabery clarified that the \$300,000 state grant was a set, rather than requested, amount which the town knew could go toward paving much, if not all, of the subdivision.

Mayor Bluff opened public comment. **Sandy Martin**, 771 Calle Medina, stated that she felt sickened that, after fighting to get the grant, she has to fight to get her street fixed and that she just wants her road to be paved. She stated that Mrs. Hicks, who owns two trailers on Calle Carillo, told her that her property has a worse run-off problem now than she has ever had. She stated that she thinks the Calle Medina paving and the ribbon curbs at the south terminations of Figueroa, Rosas and Tomallo were transferred to paving Calle Carillo to accommodate a subdivision Mr. Selna is building on the east side of Calle Carillo. She noted that the principles and policies of the General Plan continually point the way towards improving living standards in Clarkdale, not tearing them down. She stated that the life of a road without curbs is 50% less than a road with curbs. She stated that those at the end of once-paved Calle Medina are now dealing with the following:

1. Decreased property values.
2. Probable increased property taxes due to the road improvements for the rest of Centerville.
3. A major decrease in accessibility for mobile replacement for Mr. Nielsen.
4. Increased dust in the air.
5. Caked mud residues on cars and shoes from the rain which get tracked into their houses.
6. The road is ugly, which is compounded by comparison to all the rest of Centerville.

She stated she wants Calle Medina paved to the standard of the rest of Centerville and that the north end of Calle Medina are the only homes in **Sandy Martin** stated that the cross gutter needs to be relocated, from where the valley gutter currently

that project that front on a street that was not paved.

Angela Carver, 980 Calle Carillo, who owns a rental at 781 Calle Medina, stated that it was said that the primary concern for Calle Medina was the water drainage problem they had when it rained. She stated that issue was addressed and for the most part resolved. She stated that in the process of improving the drainage problem they depaved and devalued 771, 781, and 791 Calle Medina and that the road is now quite an ugly eyesore. She stated that the paving for Calle Medina went to Calle Carillo because they had a more serious water situation, but her grandmother-in-law says that her property on Calle Carillo now has a worse drainage problem. She stated that Calle Medina is now unacceptable and they want it paved and brought to the standard of all the other roads in Centerville.

Lyle Nielsen, who owns a rental at 791 Calle Medina, stated that if he wanted to replace his mobile he has a four feet high bank where it used to be flat and he never had a drainage problem. He stated he agrees that the road has been degraded and that the road project should have been finished before building the park. He stated that he thinks the curb should be brought down around by the Martin property and the drainage put at the end of her property and also blacktopped. He stated the road should be cut down and brought back down into the situation of the circle drive and dumped out over into the canyon instead of dumping it out half a block up the road.

Mayor Bluff reiterated, with Mr. Nielsen's agreement, that he wants to relocate the cross gutter farther down towards Sandy Martin's house, put curb and gutter around a cul-de-sac and have asphalt.

Angela Carver, stated that they should cut the road away so that the water would drain to the left and pave it with a soft curb.

begins it needs to be taken down to the original level of the road and put the gutter in front of the

lowest point, in front of Carver's property (near the light pole) and go off on an angle to the wash. She stated that any evidence of the mismanagement of the grant is only circumstantial indications she has heard or seen. She stated she then wants the road paved the same as the rest of Centerville, with asphalt and curbs.

Mayor Bluff reiterated, with Ms. Martin's agreement, that she wants the elimination of the chip seal, that it should have curbed and guttered, and that the cross gutter had been improperly located.

Shelby Maynard, 800 Calle Rosas and Centerville Action Zone Committee chairperson, stated that according to her records from the 4/19/01 meeting with the engineer, it was never the intention of the engineer to curb or pave that part of Calle Medina and that the treatment at the end of Calle Medina is similar to some other streets, Rosas and Tomallo, which should then receive the same further treatment.

Sandy Martin stated she has the 4/19/01 engineer's drawing that shows Calle Median as paved and shows the north end of Calle Carillo as unpaved. She stated that Andy Virsik said he remembers that when the engineer was approved there was a drawing that showed Calle Medina as paved and the north end of Calle Carillo was not paved.

Mayor Bluff closed public comment.

Town Manager Mabery noted that the next cycle for chip sealing will be before the end of this fiscal year, 6/30/03 and that the project engineer verified that it is built per the August 2001 engineered design and is functioning as he designed it. The drawings are public documents. She noted that the community meetings were held before the final plans were developed and all elements were not in place.

LETTER OF SUPPORT - Consideration of issuing a letter requested by the Nature Conservancy to support their request to receive funds from the Land and Water Conservation Fund to be used for the acquisition of a 67 acre

Councilmember Leibforth stated he has questions of efficiency of the drainage and if it is done according to design. He stated he is troubled by selective remedies and would like a survey of Centerville residents to know about all the possible other complaints before proceeding.

Town Manager Mabery stated that in recognition that there was not enough money to do everything, all projects should be listed in the Capital Improvements Plan.

Vice Mayor Bauer suggested a neutral engineer to go through project and review areas of concern.

Mayor Bluff stated the first thing the Council is required to do for this agenda item is to address the grievance and that the staff recommendation is a future fix. The first issue is whether or not the project and the grant that funded it were properly constructed and properly administered. The Council has to make a decision relative to that and depending on the decision then it will either affirm or reject the Town Manager's decision. After that the Council will determine what to do about this.

Mayor Bluff put the first issue before the Council, whether or not to affirm the Town Manager's decision and deny the grievance. Councilmember Groom moved to approve the Town Manager's decision. Council member Leibforth seconded. Councilmember Groom stated he thinks the project may not be done but the rules were followed. The motion passed unanimously.

Mayor Bluff moved to direct staff to meet with the Centerville Action Zone Committee to discuss future drainage improvements, paving, access issues and projects in the Centerville area and whether those items should be include on the Capital Improvements Plan. Councilmember Leibforth seconded and the motion passed unanimously.

inholding within the Prescott National Forest. The parcel is north of Chino Valley and is used for research. Vice Mayor Bauer moved to have staff send a letter of support for the requested appropriation of \$900,000 to the U.S. Forest

Service for acquisition of a 67-acre inholding within the Prescott National Forest. Councilmember Leibforth seconded and it passed unanimously.

WATER ADVISORY COMMITTEE -
Discussion and consideration of the town representation on the Water Advisory Committee. Mayor Bluff committed to going to the Water Advisory Committee meetings or informing Councilmember Williams if he cannot go. The Council agreed to try having Councilmember Leibforth go to the related but separate Natural Resources meetings.

APPOINTMENT OF COUNCIL REPRESENTATION - Consideration of designating a councilmember to serve on the board of the Northern Arizona Municipal Water Users Association (NAMWUA). Mayor Bluff moved to appoint Vice Mayor Bauer as representative and Councilmember Leibforth as alternate. Councilmember Williams seconded and the motion passed unanimously.

ADJOURNMENT - With no further business before the Council, and without objection, Councilmember Bluff adjourned the meeting at 8:55 p.m.

APPROVED:

Michael Bluff, Mayor

SUBMITTED:

Charlotte Hawken, Admin. Assistant

ATTESTED:

Joyce Driscoll, Town Clerk