

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, October 11, 2005.

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, October 11, 2005 at 6:00 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 North Ninth Street, Clarkdale, Arizona.

Town Council:

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley (absent)
Councilmember	Frank Sa
	Patricia Williams
	Tim Wills

Town Staff:

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Town Attorney	Anna Young
Com. Dev. Director	Steven Brown
Planning Manager	Sherry Bailey
Public Works Manager	Steven Burroughs
Police Chief	Pat Haynie

Others in Attendance: Robyn Prud'homme-Bauer, Ellie Bauer, Curt Bohall, Ana Wayman-Trujillo, Ruth Robinson, Vonda Bennet, Dan Guernsey, Jim Elmer, Mark Randall and Mike Flummer.

AGENDA ITEM: CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:06 p.m. and noted that Vice Mayor Wiley was absent.

AGENDA ITEM: PUBLIC COMMENT -

Robyn Prud'homme-Bauer, 1750 Cholla, representing the Old Town Players, stated they will open the 2005-2006 season with Neil Simon's play Chapter Two on October 28. She noted the new contract changes the gala opening to Fridays. Tickets are now available online. She encouraged everyone to purchase tickets, help at the event and find auction items.

AGENDA ITEM: INFORMATIONAL REPORTS-

MAYOR'S REPORT - Mayor Von Gausig reported the following:

1. He attended the mayors and managers meeting where they discussed various issues

- including Highway 260.
2. He met with representatives of Empire Developers.
3. He attended and ADOT 89A advisory group meeting, which is looking at the historic alignment along with other issues. See www.sr89a.com.
4. He attended a joint Council/Planning Commission meeting.
5. He met with Empire Developers and other land owners regarding water issues.
6. He met with the Northern Arizona Audubon Society.
7. He attended workshops at the League of Cities and Towns conference, including Think AZ, price gouging, water, growth and meth labs.
8. He met with Linda McDonough regarding concerns about a request for a street abandonment.
9. He attended a water work group and Water Advisory Committee meeting.
10. He attended the Verde Valley Voice for Education Fair.
11. He attended a meeting regarding purchasing and development rights for preservation of open space. Tavasci Marsh is now owned by the federal government.
12. He attended a 260 SR pre-planning meeting.
13. He attended a water acquisition group meeting. He attended a 260 SR management plan public meeting.
14. He attended Dorothy Benatz's funeral.
15. He attended the Chamber Block Party.
16. He met with Nick Hunseder about digitizing historic documents and pictures on the town website.
17. He attended a water group meeting.

TOWN MANAGER'S REPORT - Town Manager Mabery reported the following:

1. There was a Corporation Commission hearing on Cottonwood Water Works'

request to sell assets. She noted that the base water rate includes 1,000 gallons of water. She anticipates the water company acquisition in November, depending on the Corporation Commission. They will send a letter to all water customers.

2. She attended an International Managers Conference in Minneapolis. It was a great educational program and she appreciated Council giving her the opportunity.
3. She also attended Strategic Planning Training with Public Works Director Burroughs and Town Clerk Driscoll.
4. There will be an open house for the new facilities November 8th from noon to 6 p.m.
5. Community Development Director Brown was offered a position in Florida and his last day will be October 20th.
6. Dorothy Benatz gave wonderful service to the Town. Town Manager Mabery learned early in her career to call Dorothy because she had an incredible knowledge of the Town.

NACOG – A report regarding the Northern Arizona Council of Governments. No report.

NAMWUA – A report regarding the Northern Arizona Municipal Water Users Association – There will be a meeting on Friday.

WAC – A report regarding the Yavapai County Water Advisory Committee – Mayor Von Gausig stated there was a presentation by the Arizona Department of Water Resources regarding water systems. He was appointed to a task force to find people to be part of a Title 2 panel, which will advise the federal government on water issues if the Ruskin land exchange is completed.

CATS – A report regarding the Cottonwood Area Transit System – No report.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District – No report.

VVLPI – A report regarding the Verde Valley Land Preservation I – Councilmember Williams stated they viewed a Nature Conservancy video on the Verde River and they discussed membership and possible conservation easements. They will be

holding a meeting on regional open space.

AGENDA ITEM: 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.

Mayor Von Gausig pulled Item A. Councilmember Wills pulled Item F.

Councilmember Sa moved to approve Items, B, C, D and E. Councilmember Wills seconded and the motion passed unanimously.

Item A – There is a mistake on the September 13th Council minutes. Councilmember Wills moved to table the September 13, 2005 minutes to the next regular meeting. Councilmember Sa seconded and the motion passed unanimously.

Item F – Councilmember Wills stated this sounds like a good group but he is not in support of the application. Councilmember Sa stated that perhaps another town facility might be better.

Vonda Bennett, 3142 Kings Highway, Prescott, stated they chose the Centerville park because a lot of parents are in recovery. They want to move some recovery to the Verde Valley and here children can play with a monitor watching them. They don't anticipate a large number of attendees. They received a grant to set up outreach in the Verde Valley. They will eventually be looking for another facility. Fees for other locations are \$10-12. They hope from holding these meetings that other meetings will happen. The meetings would be 5-6 p.m. on Saturdays and would be open to everyone. The first rule is no drugs or paraphernalia allowed.

Councilmember Williams noted the lack of facilities for children in some locations. Mayor Von Gausig stated he considered the setting of precedent and that the Council doesn't usually waive fees for entities.

The council agreed they could use the park, but not use the gazebo or a cabaña. Mayor Von Gausig encouraged them to complete a non-profit funding application with the town.

Councilmember Sa moved to deny the request to waive user fees. Councilmember Wills seconded and the motion passed unanimously.

- A) **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held September 13, 2005 and the Special Meeting held September 27, 2005.
- B) **Claims** - List of specific expenditures made by the Town during the previous month.
- 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 -September 28, 2005.
 Design Review Board - September 14, 2005.
 Heritage Conservancy Board - September 19, 2005.
 Library Advisory Board - September 1, 2005.
 Parks and Recreation Commission - August 8 and September 12, 2005.
 Planning Commission - August 15 and September 18, 2005.
- D) **Reports** - Approval of written Reports from Town Departments and Other Agencies
 Building Permit Report - September 2005
 Cottonwood Area Transit System (CATS) Operations Report - July and August 2005
 Fire Department Report and Mutual Aid Responses Report - September 2005
 Magistrate Court Report - August 2005
 Police Department Report - September 2005
 Verde Valley Humane Society- August 2005.
- E) **Contract** - Approval of a contract with the Old Town Players for the use of a Town facility.
- F) **Waiver of Fee** - approval of a request by Narcotics Anonymous (NA) to waive user fees for temporary use of Centerville Park.

AGENDA ITEM: RESOLUTION #1171-
Discussion and consideration of a resolution authorizing the Town Clerk to conduct elections in 2006 as all "mail ballot" elections.

Discussion included the following issues:

1. The Town has learned since the August 9th meeting when the Council did not approve a mail ballot election that Yavapai County will not be running polling place elections.
2. Feeling that mail ballots can be used inappropriately.
3. Feeling that signature verification is inadequate.

A representative from Yavapai County stated that county staff gets rigorous training for verification. They scan in the signature cards and keep the original voter registration affidavits. If the signature does not match they contact the person and send out a new affidavit. She stated that costs of vote by mail are less and the turnout is greater.

Discussion continued on the following issues:

4. Need for provisional ballots if post office does not deliver the original ballot.
5. 50% who voted in the general election for the county voted early.

Robyn Prud'homme-Bauer, 1750 Cholla, stated she is an active and long time member of Women Voters. She stated that mail ballots were founded on the ease of voting and better voter turnout, that signatures are checked and that it keeps the rolls clean. She is proud to live in a community where 65% of the people vote.

Ellie Bauer, 1201 Main, stated she enjoys the polls but also but times have made us change.

Mark Randall, 102 South Fifteenth, initiated a discussion on a listserve and shared some of the responses in favor of mail-ballot voting. One issue is that the mail ballot provides the best opportunity to vote.

Councilmember Williams moved to pass Resolution #1171 authorizing the Town Clerk to conduct the 2006 elections by mail ballot. Councilmember Sa seconded and the motion passed three to one, with Councilmember Wills opposing.

AGENDA ITEM: LETTER OF SUPPORT - Discussion and consideration of approving a Letter of Support for the Clarkdale Fire District Organizing

Board's October 2005 Impact Statement.

Jim Elmer, 2191 Jerry Street, stated they have been through this process once before. He stated they have more help this time. The need for a district is still there and they are ready to get out and accomplish formation. He noted there are no substantial changes to the impact statement. They are training with the county this month as to the process.

Town Manager Mabery noted that the changing of municipal departments into districts was a topic at the national convention she attended.

Councilmember Williams moved to approve the Council sending a Letter of Support for the Clarkdale Fire District Organizing Board's October 2005 Impact Statement. Councilmember Sa seconded and the motion passed unanimously.

AGENDA ITEM: ORDINANCE #282- Discussion and consideration of an ordinance making changes to Section 7-1-1.H of the Town Code of the Town of Clarkdale regarding fire suppression requirements.

Building Official Baker presented the staff report, as follows:

Background: On August 9, 2005, Council was presented with an ordinance amending the current fire suppression law. The reason for this proposed amendment was to allow the Fire Code Official discretion in deciding if sprinklers were needed in all of the conditions described in the current law.

Council thought that the proposal was too open and needed to be made more specific for when sprinklers would not be required. Staff was asked to revisit the issue and make the appropriate corrections. As a result of that request, Staff is proposing a new ordinance that makes a few changes (see comparison sheet) in the requirements for sprinklers in new buildings and defines when suppression will be needed in existing buildings.

If the building changes use groups (see list and description of use groups) and becomes less of fire or life safety hazard, sprinklers would not be required. Conversely, if a use group changes from a lower to a higher fire and life safety hazard, sprinklers will be required. Table A, which is part of the proposed ordinance, shows the fire hazard relationship among use groups.

For example: A residence is to be changed into an office. Looking at the column on the left side of Table A, go down to the space marked R. Then go to the right and stop at the column titled B at the top. Where R and B meet shows NC, which means that if a residence is turned into a business, there is no change and therefore sprinklers are not required.

The appeal process would be the same as with any other building code. As specified in the Town Code in Section 17-2-2-A, the Board of Adjustment has the authority to hear appeals to codes referenced in Chapter 7.

By passing this ordinance the Fire Code Official will be given specific authority to require or not require fire suppression systems in existing buildings based on the fire hazard of the building's use.

Recommendation: To approve Ordinance #282 making changes to Section 7-1-1.H of the Town Code of the Town of Clarkdale regarding fire suppression requirements.

Discussion included the following issues:

1. The existing buildings chart.
2. Not having any waivers to the sprinkling requirement.
3. Doing something about a waiver that was granted by staff already.
4. The proposal clarifies staffs authority for granting waivers.
5. The Scottsdale sample ordinance is similar to the Town's.
6. The Scottsdale ordinance made specific exclusions, which were simplified in Cottonwood's ordinance to exclude 1000 square foot structures.
7. Proposed revision is good, with reasonable and prudent changes.
8. If the Town's water pressure is not adequate, then the owner is required to put in a pressure tank.
9. Existing and proposed code provisions.
10. Staff made a mistake by granting a waiver, but the owner got a permit and spent money based on the permit, so they are vested and

cannot be expected to correct it, but that does not set a precedent

- 11. Merits of existing and proposed ordinances.
- 12. Cottonwood’s ordinance is very similar.
- 13. It is not unusual for staff to work with certain council members that have specific expertise.
- 14. The ordinance requires 2/3 vote for the emergency clause to be passed.

Mayor Von Gausig moved to approve Ordinance #282 amending Section 7-1-1.H of the Town Code of the Town of Clarkdale regarding fire suppression requirements, with two exceptions, as follows

- 1. In Section 903.2, adding 13R and 13D to the phrase “National Fire Protection Association 13.”
- 2. Removing Section 6, the emergency clause, and amending the title.

Councilmember Wills seconded and the motion passed three to one, with Councilmember Sa opposing.

AGENDA ITEM: PARKS AND RECREATION MASTER PLAN – Review and consideration for approval of the Parks and Recreation Master Plan.

Community Development Director Brown presented the following staff report:

Background:

The Parks and Recreation Commission, as part of their charge from the Town Council, was created:

“To assist the Council in establishing general priorities, relating to park development and recreation programs. To assist in establishing a continuing plan for the Town’s park system involving research, comments and/or recommendations on parks and recreation-related matters”. Town Code Article 17-3-3-D.

The Park and Recreation Commission has met with the Planning Commission in a joint work session on the development of their Park and Recreation Master Plan. They wanted to ensure that both the Park and Recreation

Master Plan and the Clarkdale General Plan are compatible and provide for the needs of the citizens of Clarkdale. They felt the goals and objectives of the plan were obtainable and would result in a better Clarkdale.

The “Town of Clarkdale General Plan Program – 2002”, in the Open Space Element, stated a Goal to “PROVIDE A SYSTEM OF PARK AND RECREATIONAL FACILITIES TO MEET THE NEEDS OF CLARKDALE RESIDENTS”. As one of the Objectives, it was stated that the Town of Clarkdale should “Increase the supply of park land in Clarkdale”. In adopting the General Plan and this Objective, the Town established the following policies as well:

- 1. *Develop a Parks and Recreation Master Plan for the coordination of short and long-range objectives that include various levels of park development, funding mechanisms and implementation strategies.*
- 2. *Evaluate and pursue various funding mechanisms to improve the parks and recreation program.*
- 3. *Support efforts to develop neighborhood park and recreation facilities in all areas of Clarkdale, including existing neighborhoods and new developments.*
- 4. *Support efforts to locate, design, fund, implement and manage a community park and recreation facility to address long-range town-wide needs.*
- 5. *Participate in regional efforts to ensure the development of adequate parks and recreation facilities for use by Clarkdale residents.*

The Parks and Recreation Commission, in carrying out their charge from the Town Council and in the furtherance of the Town of Clarkdale General Plan Program – 2002 has developed this Parks and Recreation Master Plan. This plan “...is intended to identify and provide approaches for the preservation and enhancement of open space resources, parks, recreation areas, wildlife and natural habitat, riparian corridors, floodplain and drainageways within the Town of Clarkdale. The preservation of natural undeveloped areas within the Town provides areas for enjoyment by residents and visitors, as well as provides a context for development that adds value to the

community.”

The Parks and Recreation Master Plan contains Goals that address the recreational needs of the Town for the next 20 years. The goals call for continued work by the Parks and Recreation Commission to identify area needs and to pursue the funding to meet those needs. They also call for the preservation of Open Space, the continued development of the Town’s trail system and to look beyond our boundaries to connection with adjoining community trail systems. It is an ambitious program but obtainable. The Commission did a survey of the existing facilities and established a level of service for each neighborhood.

Recommendation: *To adopt the Parks and Recreation Master Plan.*

He noted the vision statement included goals, objectives and action steps. If approved, the Community Development Department would be assisting the Commission in the action steps to proceed with. The proposed acre-per-capita as a service standard identified areas that were not meeting that standard. He noted the Highlands development added a third park due to it being an underserved area. Highlands’ representatives are meeting with the Commission to look at park amenities. When the Parks and Recreation Master Plan is completed, it can eventually be adopted as the General Open Space Element as part of the General Plan. The document can be used to show

developers the amenities that are needed in their projects. They would like to hold neighborhood meetings and do cognitive mapping and a needs assessment to implement the plan.

Councilmember Sa moved to adopt the Parks and Recreation master Plan. Councilmember Wills seconded and the motion passed unanimously.

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

1. Mayor Von Gausig requested a worksession to work on ways to honor Dorothy Benatz.
2. Councilmember Williams requested a study session on road abandonments.

AGENDA ITEM: ADJOURNMENT - With no further business before the Council, and without objection, the meeting adjourned at 8:30 p.m.

APPROVE:

Doug Von Gausig, Mayor

ATTEST:

Joyce Driscoll, Town Clerk

SUBMIT:

Charlotte Hawken, Admin. Assistant