

## Minutes of a Special Meeting of the Common Council of the Town of Clarkdale held on Tuesday, May 23, 2006

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, May 23, 2006 at 6:00 p.m. in the Men’s Lounge, Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, Arizona.

**Town Council:**

Mayor	Doug Von Gausig
Vice Mayor	Jerry Wiley
Councilmember	Pat Williams
	Frank Sa
	Tim Wills

**Town Staff:**

Town Manager	Gayle Mabery
Town Clerk	Joyce Driscoll
Comm. Dev. Director	Sherry Bailey
Public Works Director	Steven Burroughs
Finance Director	Carlton Woodruff
Deputy Town Clerk	Walt Good
Administrative Assistant	Janet Perry
Fire Chief	Jerry Doerksen
Police Chief	Pat Haynie

**AGENDA ITEM: CALL TO ORDER** - The meeting was called to order at 6:00 p.m. by Mayor Von Gausig noting that all members were present.

**AGENDA ITEM: PUBLIC COMMENT-**

*Randy*, Clarkdale, stated he is concerned about the new commercial zoning being discussed. He would like them to determine whether it will provide pedestrian oriented commercial. With a permit, someone could build a temporary trailer park under the proposed zoning. He does not trust the people who are making the decisions and hopes the Council will look at it closely.

*Ellie*, Clarkdale, invited everyone to look at the banner replica on the light post after the meeting. She urged the Council to look at the negative impact of impact fees.

**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.

Councilmember Sa pulled Items H and I. Vice Mayor Wiley moved to approve Items A through G. Councilmember Wills seconded and the motion passed unanimously.

Items H and I - Town Clerk Driscoll explained that the entire Article 2-8 of the Town Code is being removed and replaced with the new tax code.

Councilmember Sa moved to approve Item H, Resolution # 1190. Vice Mayor Wiley seconded and the motion passed unanimously. Councilmember Sa moved to approve Item I, Ordinance # 287. Councilmember Wills seconded and the motion passed unanimously.

- A. **REPORT ON EMERGENCY EXPENDITURES** - A report on emergency expenditures authorized by the mayor per Section 3-4-6 of the Town Code.
- B. **AGREEMENT** - Approval of a 2006-2007 Reimbursement Agreement for the use of Town Facilities by the Clarkdale-Jerome Lions Club.
- C. **INTERGOVERNMENTAL AGREEMENT** - Approval of a 2006-2007 Intergovernmental Reimbursement Agreement between the Town of Clarkdale and Clarkdale-Jerome School District to provide Mechanical Repair Services.
- D. **INTERGOVERNMENTAL AGREEMENT** - Approval of a 2006-2007 Intergovernmental Reimbursement Agreement between the Town of Clarkdale and City of Cottonwood to provide Mechanical Repair Services.
- E. **AUTHORIZATION FOR THE MAYOR TO SEND A LETTER** - Approval for the mayor to send a letter supporting the State Route 89A Corridor Management Plan (CMP).
- F. **RESOLUTION #1189**- Approval of a resolution canvassing the results of the May 16, 2006 General Election.
- G. **RESOLUTION #1190** - Approval of a resolution adopting a fair housing policy.

H. **RESOLUTION #1191-** Approval of a resolution declaring as a public record that certain document filed with the Town Clerk entitled “The 2006 Tax Code of the Town of Clarkdale”.

I. **ORDINANCE #287-** Approval of an ordinance relating to the privilege license tax; adopting “The 2006 Tax Code of the Town of Clarkdale” by reference; repealing and replacing Article 8-2 of the Town Code.

**AGENDA ITEM: WORKSESSION ON CLARKDALE DROUGHT AND WATER SHORTAGE PREPAREDNESS PLAN** – Discussion of the draft Clarkdale Drought and Water Shortage Preparedness Plan.

Town Manager Mabery stated legislation requires all communities to adopt a drought preparedness plan. It is a policy statement and will be adopted into the town code. She explained the water resource status levels.

Discussion included the following issues:

1. All customers within Cottonwood, Clarkdale and outside the municipal districts would receive the same message and go to the same water resource status level.
2. There is a feeling that the area should always be at the Strategy Level 1 as a minimum.
3. Strategy Level 1 involves voluntary compliance, such as car wash water reuse. I does not require construction projects to use reclaimed water because it may not always be available.
4. Strategy Level 2 involves some mandatory compliance, commercial provisions and a 30-day permit to water new landscaping.
5. Strategy Level 3 involves water not being added to swimming pools.
6. Strategy Level 4 involves disallowing potable water being used for outdoor purposes.
7. The town manager has the authority to authorize going to any level.
8. The Town needs to educate the public about the strategy levels.

9. Signage would indicate to the public what level the town is in at any given time.

10. There are penalties and appeals for violations.

Without objection Mayor Von Gausig opened public comment.

*Ellie*, Clarkdale, requested that the Water Advisory Group have an opportunity to review the proposed plan.

*Randy*, Clarkdale, clarified that at Level 3 water cannot be added to the town pool.

**AGENDA ITEM: WORKSESSION ON POSSIBLE ORDINANCE CHANGE ARTICLE 7-14.A HOURS OF CONSTRUCTION** – A worksession and direction to staff regarding a possible future ordinance changing Article 7-14.A of the Town Code to amend the hours of construction which are currently sunrise to 9:00 PM.

Building Official Baker noted that Canyon State Concrete, Inc. is making the request. He stated that staff recommends against this request due to noise and because the curing of concrete can be accomplished during any part of the day if proper measures are taken. It was noted that the Council does not have the authority to make waivers from the Town Code. If the Council wants to allow concrete work earlier than the code allows, the code would have to be changed. He discussed the techniques that can be used to pour concrete in hot weather.

Discussion included the following issues:

1. Mountain Gate is thinking of stepping up production and is asking to work one hour earlier from May through September. An ordinance change would apply to all concrete contractors. Residents in the area should understand they bought into an area still under construction. The concrete trade would get in before all other trades get on site and they have equipment that causes a lot of congestion.
2. People living across the street from Mountain Gate did not buy into an area under construction. Mountain Gate and its contractors knew they would be working in the summer. Residents are putting up with a lot already.

3. Town has gone a long time with concrete being poured within the required hours.

Mayor Von Gausig read a letter from a citizen about construction hours, as follows:

*I wish to be on record with my views on this issue. Currently construction hours are from dawn to 9pm. Back up beepers at dawn is an unacceptable infringement on my quality of life. I am aware of the concern for workers laboring in the desert. As a garden designer for 25 years I have spent many a day outdoors in temperatures in excess of 95 degrees with the humidity over 75%. When dealing with a private client you do not take your ease at their expense... or the neighbors. As the developer is reaping the profit of the construction enterprise, it is he who should bear the "expense". The answer(s) are that the developer be required to provide shade, water and rest breaks. Many of my crews did prefer to start early because of the heat. In that case, we were obliged to take care not to disturb the peace with activity that was noisy. Many clients remarked when on their way to leave for the office that they hadn't realized we were already on the job. Work that does not require heavy equipment, back up beepers, heavy trucks rumbling through residential neighborhoods, pneumatic equipment, and the like, can and should be scheduled after 7am at the earliest and no later than 7 pm.*

*Christine M. Schwab  
1090 Old Jerome Highway*

Without objection, Mayor Von Gausig opened public comment.

**Coby Cook**, Canyon State Concrete, stated he is a third generation concrete worker. There are curing methods, but that is not the issue. You cannot add water because it weakens the concrete. They have added additives and pay extra for cold water. They are pouring two houses a day and need to go to three. With three pours, there will be 37 trucks. Suppliers cannot keep up because the supplier has only ten trucks.

Mayor Von Gausig clarified that the ordinance was written as it is to not disturb residents sleep.

Mr. Cook stated he has been to American Concrete Institute trainings and they are doing everything they can. They need more time in the morning.

**Randy**, Clarkdale, stated he lives one half mile from Mountain Gate. They broke ground a few months after he moved here. He has been listening to construction noise and back-up beeps for a year. He doesn't care if they pour concrete, if they can do it quietly. His biggest complaint is the back-up beepers. He believes OSHA allows beepers to not be used if there is a flagman. He requested the Council consider requiring that this be done.

Mr. Cook stated they could eliminate back-up beepers in the early morning.

Without objection Mayor Von Gausig closed public comment.

Discussion continued, as follows:

4. Don't see any justification to direct staff to write a change to the town code.
5. Mountain Gate knew what the requirements were. May need to address in future with large commercial projects.

**AGENDA ITEM: HIGHWAY 260-** A presentation and discussion regarding the Highway 260 realignment and possible authorization for the Mayor to convey Clarkdale's position on this issue.

Mayor Von Gausig stated that at the public meetings the public best liked Alternative A, with an intersection north of the Steve Coury dealership. It was brought up at the last public meeting. Camp Verde objected to it. ADOT came up with two alternative plans that Camp Verde and Coury are agreeable with, called Alternative F and G. Both involve an intersection north of Coury, but ADOT would build a backage road instead of future development building it. Officials of the Verde Valley reviewed them. The cost is going up as time goes on. Cottonwood's mayor wants Alternative A and it is going to the Cottonwood council. The Camp Verde mayor presented it to his council and they were split on the issue. If Cottonwood and Camp Verde cannot agree ADOT is not doing the project and it won't come up for funding again until 2014. ADOT wants Camp Verde and Cottonwood to pass zoning to adopt an Access Management Plan. One option is to go back to the drawing board and reconsider going through forest service lands.

It was the consensus of the Council to authorize the Mayor to send a letter to ADOT that Clarkdale would be happy with Alternative A, F or G.

**AGENDA ITEM: WORKSESSION ON SPEED CONTROL DEVICE** – Discussion and possible direction to staff implementing speed control devices to reduce vehicle speed on Main Street.

Councilmember Sa stated that his daughter lives at 16<sup>th</sup> and Main. He brought this up before and has not seen any success in the measures done thus far. He was at her house and in a twelve hour period he lost count after 47 speeding cars went by. He called the police and the only officer he saw was Officer Church when he went to the school to drop off kids. A couple of days before that he reported speeding cars and three hours later a police car went by. He wants to make the area safer. They have tried signage, etc. He has been there on weekends and has not seen a police car go by. He wants a speed bump. He noted a location in Sedona where there is a speed bump next to a crosswalk. No crossing guards. He proposes a speed bump be incorporated with the crosswalk. He has seen a car go 45 mph through there.

Police Chief Haynie stated they have been there a lot. Weekends could be a problem depending on what else is going on. He would have to look at the computer to identify what was going on during the specific days/times mentioned. He is not getting complaints from other people in the school area. They get a lot of complaints about Black Hills Drive. During school hours seems to getting better. Trying to have citizens call in and he can give them radar gun to use. Can be hit and miss, and when people quit calling they assume the problem is gone. He described the benefits of the citizen radar program. He is not denying that there is a speeding problem. They are doing the best they can.

Public Works Director Burroughs stated he purchased traffic counters that can measure speed and record other data. He would like time to discuss with Chief Haynie and they could bring back hard numbers from the counter in that area to the Council.

Discussion included using units that flash the miles per hour as cars go by and the cost of speed humps. The consensus was to collect data with traffic counters.

**AGENDA ITEM: BUDGET WORKSESSION** – A worksession regarding the Cemetery, Sanitation and Capital Improvement portions of the fiscal year 2006 – 2007 Budget.

Finance Director Woodruff reviewed the Sanitation Fund. He noted that the Waste Management contract expires in December. Personnel costs are internal, mostly for brush pick-up. Discussion included the brush pick-up service and the history of the Capital Fund.

Finance Director Woodruff reviewed the Cemetery Fund. Discussion included personnel costs, revenues, columbariums and perpetual care.

Finance Director Woodruff reviewed Capital Improvements. Discussion included \$41,787.50 coming out of the 1% construction sales tax for the Municipal Property Corporation payments. The current fund balance is \$99,912.11.

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

None.

**AGENDA ITEM: ADJOURNMENT** – With no further business before the Council, and without objection, the meeting was adjourned at 8:43 p.m.

**APPROVE:**

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Doug Von Gausig, Mayor

**ATTEST:**

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Joyce Driscoll, Town Clerk

**SUBMIT:**

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Charlotte Hawken, Administrative Assistant