

Minutes of a Special Meeting of the Common Council of the Town of Clarkdale held on Tuesday, June 27, 2006

A Special meeting of the Common Council of the Town of Clarkdale was held on Tuesday, June 27, 2006 at 5:30 p.m. at the Yavapai College, Community Room M137, 601 Black Hills Drive, Clarkdale Arizona.

Town Council:

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

Town Staff:

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| Town Manager | Gayle Mabery |
| Town Attorney | Robert Pecharich |
| Comm. Dev. Dir. | Sherry Bailey |
| Chief of Police | Pat Haynie |
| Public Works Dir. | Steve Burroughs |
| Public Works Crew | K.C. Bailey |
| Finance Director | Carlton Woodruff |
| Deputy Town Clerk | Walt Good |

AGENDA ITEM: CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:10 p.m., noting that Vice Mayor Wiley was absent.

AGENDA ITEM: 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

Robyn welcomed Councilmember Bohall to the council and said he would be missed on the Planning Commission. Robyn said she comes to council meetings as a concerned citizen and would like to be able to review the staff reports to be prepared before the meeting. She would like to view the reports online with the agenda. It makes it hard to comment on items when citizens do not have access to the same information as the councilmembers. Robyn would also like to see a citizen on the committee that reviews non-profit funding.

Bill, owner of the laundry mat on Ninth Street, expressed concern over the tiered water rates that are in effect and informed the council how it is affecting his business. They had to raise rates to cover the 350% increase in the cost of water. Their competition has not experienced the same water cost increases. Mr. Snyder provided council with information about his water usage for months in 2005 versus the same period in 2006, with the related costs of that usage. Mr. Snyder would like the council to look into the tiered system that is in place in Prescott Valley. It not only is tiered in usage but also in meter size. Thus the cost for a high volume user is buffered with an adjusted tier volume rate for the larger meter. Mr. Snyder feels the service he offers the community is being unfairly penalized under the current rates. Mr. Snyder finished with stating that a Prescott Valley Meter-Size Tiered Volume Rate would be the fairest system for his business.

Ellie noted that laundry mats like Mr. Snyder’s conserve water over the same volume of loads done at home. Speaking on the Town of Clarkdale drought preparedness plan, Ellie stated she would like to see conservation education increased. She would like Clarkdale to be known by “conservation as a way of life.” Council needs to pay attention to how people are educated about conservation and volunteers are the best way to educate. Use those individuals that are involved with water groups to inform others.

AGENDA ITEM: WORKSESSION – A worksession will be held for the purpose of reviewing and discussing the following topics with possible direction to staff:

A. **Review of Information** – Arizona Open Meeting Law, Executive Session requirements, Conflict of Interest Laws, and Public Records Laws. Town Attorney Pecharich presented this section, noting that the “The public’s business MUST be conducted in public.” Town Attorney Pecharich reviewed information from the Arizona League of Cities and Town’s handout, *You as a Public Official*. Topics included the following:

1. Open meeting laws

2. Executive session (reason for and the confidentiality of those proceedings)
 3. Conflict of interest
 4. Appearance of Conflict
 5. In employee/employer conflict.
 6. When a quorum of the council members has declared a conflict and the Town cannot conduct business on that item, the "Doctrine of Impossibility" states the conflict is noted and all council members are then able to proceed with the Town's business.
 7. Public Records are anything filed at town hall. If records are requested, the Town must respond within 24 hours. Email is also a record and anytime you email from home on any Town business you must copy to records@clarkdale.az.us
- B. Meeting and Worksession Procedures** Meetings are covered under Chapter 2 of the Town Code. Discussion included the following :
1. The mayor is a voting member of the council and votes on all items.
 2. Any councilperson can request clarification of an item.
 3. The mayor will continue to email his report out and will only report at the regular meeting about those items that the public may have interest in or items that have happen since the report was emailed. The Mayor's report will continue to be included in the packet.
 4. A request to add a new report section on the Verde River Basin Project was assigned to the Deputy Clerk.
 5. Town Code states that regular meetings be held in the Men's Lounge. Town Attorney Pecharich noted that we are in compliance of state statutes in that we post our meetings in an official location, on line, and place signage on the Men's Lounge as to where the council has moved the meetings due to weather constraints. Town Attorney Pecharich also mentioned that he will work with staff to rewrite the section for clarity.
- C. Mayor and Council Member Roles** Mayor and councilmember roles are covered in Chapter 2 of the Town Code. Town Manager Mabery advised the council that in the past councils have handled vacancies in different ways and that she would inform members how it had been handled in the past when it happens again.
- D. Town Manager's Employment Contract** Town Manager Mabery will notify council in November her intent to remain or go. The packet contained the form used to evaluate the Town Manager's performance.
- E. Council/Manager/Attorney/Staff Relationships** The council sets policy and the town manager administers it. The town manager, town attorney and town magistrate are employees of the council. All other staff report directly or indirectly to the manager.
- F. Acting Town Manager Appointment and Duties** Town Manager Mabery presented a schedule appointing the acting manager while she is gone on vacation and in school, as follows:
- June 28-July 2 - Public Works Director Burroughs
 - July 3-9 - Police Chief Haynie
 - July 10-16 - Administrative Services Director Driscoll
 - July 17-23 - Finance Director Woodruff
 - July 24-30 - Community Development Director Bailey
- She advised council that they have the ultimate authority to appoint an acting manager in her absence.
- G. Board and Commission Appointment Process.** Council reviewed the Clarkdale Public Service Handbook section concerning Boards and Commissions.
- H. Communication/Interaction with Boards and Commissions** Information covered is under Chapter 2 of the Town Code. It is recommended that council members not attend board meetings because of perceived interference. Councilmember Williams stated she attends Planning Commission

meetings to gather information for her decisions, but she sits in the back and makes herself as inconspicuous as possible, never commenting.

I. Communication/Interaction with the Public, the Media and with Outside Entities The Clarkdale Public Service Handbook offers public officials guidelines. A discussion was held on if council has not made a decision, for council members to make sure if asked that their audience knows that is your personal opinion not that of the Town. Once the Town makes a decision, if you are a dissenting minority member, express the Town point of view and then your personal opinion.

J. Appointment of Council Representatives to Regional Organizations. The council discussed various regional boards and organizations that require Town of Clarkdale representation. The consensus was as follows:

- **Coconino-Yavapai Resource Conservation District (COCOPAI)** Representative Pat Williams, Alternate not assigned
- **Cottonwood Area Transit System (CATS)** Representative Councilmember Williams , Alternate not assigned
- **Northern Arizona Council of Government (NACOG)** Representative and Alternate Representative Vice Mayor Wiley , Alternate Councilmember Williams
- **Northern Arizona Municipal Water Users Association (NAMWUA)** Representative and Alternate Representative Mayor Von Gausig, Alternate Vice Mayor Wiley, 2nd Alt. Town Manager Mabery
- **Prescott and Coconino Management Plan Process** Representative Councilmember Williams, Alternate not assigned
- **Verde River Sub-Flow Adjudication Committee** Representative Councilmember Williams, Alternate not assigned
- **Verde Valley Land Preservation Institute (VVLPI)** Representative Mayor Von Gausig, Alternate

- **Verde Valley Transportation Planning Organization (VVTPO)** Representative Councilmember Bohall, Alternate not assigned
- **Yavapai county Water Advisory Committee (WAC);** Representative Mayor Von Gausig, Alternate Vice Mayor Wiley
- **Verde Valley Natural Resources Coordinator Advisory Committee** Representative Councilmember Williams, Alternate not assigned
- **Board and Commission Interview Committee** Vice Mayor Wiley and Councilmember Sa
- **Non-Profit Funding Interview Committee** Vice Mayor Wiley and Councilmember Sa

AGENDA ITEM: PRELIMINARY BUDGET APPROVAL – Final review and approval of preliminary FY 2006-2007 Town of Clarkdale budget. Councilmember Williams thanked Finance Director Woodruff for all of his hard work getting the budget together. Finance Director Woodruff noted that this presentation is in the required Auditor General format and is not as easy to read. He noted the preliminary budget has to be published for fourteen days before the council can approve the final budget. After the final budget is approved he will work on Property Tax and Truth in Taxation and bring them to the council in August. Finance Director Woodruff pointed out that passage of the preliminary budget sets the spending limits – the budget could be reduce but not increased. Councilmember Sa moved to approve the preliminary budget. Councilmember Williams seconded and the motion passed unanimously.

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 8:23 p.m.

APPROVE:

Doug Von Gausig, Mayor

SUBMIT:

Walt Good, Deputy Town Clerk