

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, September 12, 2006

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 12, 2006 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
Councilmember	Frank Sa
	Patricia Williams
	Curtiss Bohall

Town Staff:

Acting Town Manager	Sherry Bailey
Town Clerk	Joyce Driscoll
Public Works Director	Steven Burroughs
Finance Director	Carlton Woodruff

AGENDA ITEM: CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:12 p.m. and noted that all Council members were present.

AGENDA ITEM: PUBLIC COMMENT -None.

AGENDA ITEM: INFORMATIONAL REPORTS-

MAYOR'S REPORT - A report from the Mayor on current events. Mayor Von Gausig reported that:

1. He met with Hollow Reed area residents about the Mountain Gate development and a sight/sound wall.
2. He attended a Verde Valley Basin Partnership meeting, where they discussed revising the organizational structure. It was clarified that the board does not have any policy making authority. They spoke with Senator McClain.
3. He attended the League conference.
4. He attended sessions on immigration and attracting businesses.
5. He met with Supervisor Davis.
6. He met with Phelps Dodge about the effluent pipeline and their participation in the financing of the project. They will be

removing vegetation from the lake, which they will do annually, hopefully solving some issues with the lake.

7. He toured the Phelps Dodge reclamation project.
8. He met with a resident regarding a proposed subdivision and roundabouts.
9. He toured the effluent disposal site.

TOWN MANAGER'S REPORT - A report from the Town Manager on current events.

Acting Town Manager Bailey reported that there is a concert in the park on Saturday and Halloween storytelling in the library on October 28. The Planning Commission is having subdivision ordinance changes and would like a joint session with the Council on 9/18.

NACOG - A report regarding Northern Arizona Council of Governments. Vice Mayor Wiley reported they discussed growth and infrastructure initiative.

NAMWUA - A report regarding Northern Arizona Municipal Water Users Association. No report.

WAC - A report regarding Yavapai County Water Advisory Council. No report.

CATS - A report regarding Cottonwood Area Transit System. No report.

COCOPAI - A report regarding Coconino Yavapai Resource Conservation District. No report.

VVLPI - A report regarding Verde Valley Land Preservation Institute. Councilmember Williams reported that they discussed Proposition 106 - state trust lands initiatives, conservation easements, training on foundation grant software, development of non-profit directors board, thinking of doing a public viewing of a video on uncontrolled growth in Phoenix in the 1960s, possible donation of a computer and a projector, Jordan ranch in Sedona is for sale, and the status of the regional land use plan.

VVTPO - A report regarding Verde Valley

Transportation Planning Organization.
Councilmember Bohall reported they are doing a study on transportation growth (circulation), the Highway 260 project, and ADOT is dismantling some bridges on I-17 and rebuilding them in 2007.

Prescott Economic Management Plan Process –
Councilmember Williams stated she has not yet received notice of a meeting.

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 Williams pulled Item B.

Councilmember Sa moved to approve Items A, C, D, E ad F. Councilmember Bohall seconded and the motion passed unanimously.

Item B – Councilmember Williams questioned the checks that were for water line extension agreements and clarified the content of GIS training. Councilmember Sa clarified that the water line agreements payments were percentages being paid back and there is a possibility of paying some off.

Vice Mayor Wiley moved to approve item B. Councilmember Williams seconded and the motion passed unanimously.

A. Minutes of the Common Council –
Approval of the minutes of the Regular Meeting held 8/8/06 and the Special Meetings held 8/2/06, 8/16/06, and 8/29/06.

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.

- Planning Commission - 7/17/06 & 8/21/06
- Board of Adjustments - 8/23/06
- Design Review Board - 8/9/06
- Library Advisory Board - 8/3/06
- Parks and Recreation Board - 8/21/06
- Heritage Conservancy Board - 8/16/06

D. Reports – Approval of written Reports from Town Departments and Other Agencies.

- Fire Department Report and Mutual Aid Responses Report – August 2006
- Magistrate Court Report – August 2006
- Building Permit Report - August 2006
- Police Department Report - August 2006
- Cottonwood Area Transit System (CATS) Operational Report – July 2006
- Verde Valley Humane Society – July 2006
- Capitol Project Reports - August 2006

E. RESOLUTION # 1201, SAFETY PERSONNEL RETIREMENT SYSTEM PENSION BOARD APPOINTMENT –
Approval of a resolution appointing Amy Bayless and Tommy Nester to terms on the Safety Personnel Retirement System Pension Board.

F. RESOLUTION #1202, DESIGNATING FOSSIL CREEK A WILD AND SCENIC RIVER – Approval of a resolution supporting House of Representatives Bill HR5957 IH to designate segments of Fossil Creek, a tributary of the Verde River in the State of Arizona, as wild and scenic rivers.

AGENDA ITEM: PUBLIC HEARING – A hearing to receive public comment on proposed new Commercial Zoning Districts (Town Center Commercial, Neighborhood Commercial, Highway Commercial) and a proposed new 89A Commercial Overlay District.

Community Development Director Bailey presented the staff report, as follows:

Background:

The Planning Commission has been working on expanded commercial zones in keeping with the recommendation from the General Plan and an overlay district for the 89A Commercial Corridor. At their July regular meeting the Planning Commission held a public hearing concerning the commercial zones and the overlay district and instructed staff to schedule the ordinance changes on the Town of Clarkdale council agenda.

The two commercial zones, Neighborhood

Commercial and Highway Commercial are in keeping with the intent of the General Plan to provide for a buffer commercial area between residential zones and the more intensive Highway Commercial zones. The Neighborhood Commercial is more in keeping with the scale and design of the residential areas whereas the Highway Commercial zone is more intensive and lends itself to big box development and retail with a more regional commercial draw. The Town Center Commercial is renaming the existing downtown area and providing for commercial development more in keeping with a downtown area than what our current zoning code allows.

The 89A Commercial Overlay zone before council identifies the intent and purpose of the district; the area designated; the design guidelines; permitted uses and variation of conventional standards. This area is identified because of the potential impact to the community and the uniqueness of the environment in this area. Although most of this property is zoned commercial, very little of it has seen development. The zoning overlay district will require special treatment of the wash area, maintaining native vegetation and encourage clustering of commercial uses. The 89A Corridor is 500 feet from the centerline of Highway 89A to both sides. It extends from Eleventh Street to the town's boundary on the southeast

Recommendation:

The Planning Commission has recommended and Staff agrees that approval of this ordinance will meet the recommendations of the General Plan and provide for better development within the town.

Community Development Director Bailey noted that this does not rezone any property. It only adds a district to the zoning code.

There was discussion of the requirements for pedestrian friendly developments. That aspect is not specified in the districts, but it is in the proposed overlay.

Planning Commission Chairperson Prudhomme-Bauer stated she thinks the pedestrian issues would be addressed in the site plan review process.

There was discussion of the locations of the proposed districts and that they may be designated in the future.

There was no public comment.

AGENDA ITEM: DECLARING DOCUMENTS AS PUBLIC RECORDS – Discussion and consideration of a resolution declaring as a public record those certain documents entitled “Town Center Commercial District”, “Neighborhood Commercial District”, “Highway Commercial District” and “89A Corridor Commercial Overlay District”.

Vice Mayor Wiley moved to approve Resolution #1203 declaring as a public record those certain documents entitled “Town Center Commercial District”, “Neighborhood Commercial District”, “Highway Commercial District” and “89A Corridor Commercial Overlay District”. Councilmember Bohall seconded and the motion passed unanimously.

Discussion included the following issues:

1. The view shed of the commercial overlay and building height.
2. The principle vs. conditional uses, i.e. restaurants and alcohol serving establishments.
3. Amusement facilities being conditional uses.
4. Performance standards.
5. Storage requirements.

AGENDA ITEM: ADDITION OF NEW COMMERCIAL ZONING DISTRICTS AND A COMMERCIAL OVERLAY DISTRICT TO THE ZONING CODE – Discussion and consideration of an ordinance adopting by reference those documents known as “Town Center Commercial District”, “Neighborhood Commercial District”, “Highway Commercial District” and “89A Corridor Commercial Overlay District”; changing the Zoning Code by renumbering sections, inserting new sections (3-10 Town Center Commercial, 3-12 Neighborhood Commercial District; 3-13 Highway Commercial District, 3-14 89A Corridor Commercial Overlay District.

Councilmember Bohall moved to approve Ordinance #294 adopting by reference those documents known as "Town Center Commercial District", "Neighborhood Commercial District", "Highway Commercial District" and "89A Corridor Commercial Overlay District"; changing the Zoning Code by renumbering sections, inserting new sections (3-10 Town Center Commercial, 3-12 Neighborhood Commercial District; 3-13 Highway Commercial District, 3-14 89A Corridor Commercial Overlay District. Vice Mayor Wiley seconded and the motion passed unanimously.

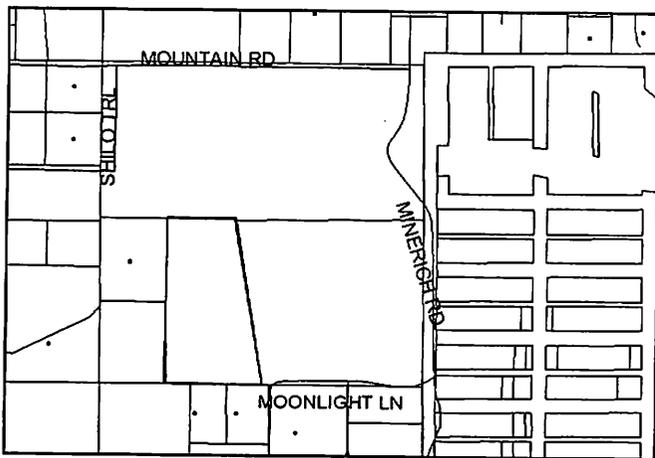
AGENDA ITEM: FINAL PLAT APPROVAL FOR LAS VISTAS MINOR SUBDIVISION -

Discussion and consideration of Final Plat approval for Las Vistas Minor Subdivision, Los Gatos, L.L.C. applicant, a 10 lot minor subdivision located near Moon Light Lane and Minerich Road.

Community Development Director Bailey presented the staff report, as follows:

Background:

The Community Development Department received an application in early 2005 for a minor subdivision of parcel 406-27-034C within the boundaries of the Town of Clarkdale. The Minor Subdivision process applies to the subdivision of a parcel into ten lots or fewer.



This parcel is zoned R1L, single-family residential, minimum lot size of one acre.

The applicant proposes to divide this six-acre parcel into five new parcels, of approximately one acre each

that would meet the basic zoning requirements.

Letters of Serviceability:

Letters from APS and Qwest were included with the application. Both companies declare they will provide service to this subdivision. The developer will be responsible for construction of the infrastructure for these services.

Water will be supplied by the Clarkdale Municipal Water Utility. The subdivision agreement on the council agenda for approval contains the requirements for connecting to town water, providing the infrastructure for connecting to the town water supply and delivering water to the individual lots. A provision is made for the developer contributing \$11,195 for future storage and capacity development. This property, along with the Jerome Subdivision to the north, will be required to work with the Town Engineer to bury the water lines that traverse their property from the Haskell Springs storage tank to the 89 A storage tank.

This area is in the Town's sewer exempt zone, so any residences would need to be on a septic system.

Road system:

There are two roads proposed to serve this subdivision. One will run east/west and one will run north/south. The north/south road is designed to be a cul-de-sac.

The east/west road will begin at the parcel's southwest corner, and will be improved to the edge of the minor subdivision. The applicant will be required to improve the access easement off his property to where it intersects with Moonlight Lane. Moonlight Lane then intersects with Abby Road North which will become the access to this development.

Roads will need to be improved to the Rural Lane Standard (40' ROW, 2" w/6"base) and dedicated to the Town.

Drainage and Grading

The applicant has provided an engineered drainage study for the area and an overall plan for drainage

treatment. However, since this is a lot only development, the developer will not be mass grading the site. He will only clear what is necessary for the infrastructure development. Each lot owner, at the time of building permit submission, will have to provide engineered grading and drainage plans that will be tied into the master drainage for this development.

The improvement plans for Las Vistas have received approval from the town engineer.

Recommendation:

This minor subdivision has been through the Minor Subdivision process and has met the ordinance requirements for approval. Staff recommends approving the final plat with the following stipulations:

Prior to recording of the Final Plat for Las Vistas Minor Subdivision:

1. The developer be required to enter into a Subdivision Agreement with the Town of Clarkdale that stipulates the terms for the provision and release of assurances to cover the cost of improvements that are a part of the subdivision.
2. A Water Service Agreement with the Town of Clarkdale shall be part of the subdivision agreement entered into stipulating the conditions under which water service will be available to Las Vistas Minor Subdivision.
3. The Subdivision Agreement shall reflect the requirement that an individual engineered site/grading and drainage plan that must be prepared by an Arizona Registered Engineer [P.E.] will be submitted to the Town of Clarkdale for review and approval at the time application is made for a building permit.
4. The applicant be required to improve the access easement off his property to where it intersects with Moonlight Lane.
5. The developer be required to work with the Town Engineer and the Public Works Director to bury the Haskell Springs storage tank to 89 A

storage tank water lines that traverse this property.

Community Development Director Bailey noted two additional recommendations that staff is recommending:

- 1) Proposed access be through a 50 foot ingress and egress easement through the Jerome subdivision property to Minerich Road. This roadway would have to be improved to town engineering standards for a rural local road, which calls for 40 foot right-of-way and chip seal improvements.
- 2) The easement dedication of the access road must be verified before the final plat can be recorded.

Stipulation #4 of the staff report would be removed if the two additional proposed stipulations become applicable and are approved by the Council.

Relocation of the water lines and easements was discussed.

Rudy Stadelman, representing the developer, stated he had just received additional suggested staff stipulations. He would like the Council to table this item so they can further work out the unknown issues.

Councilmember Sa moved to table Items 8 and 9 to the second Tuesday in October. Councilmember Bohall seconded and the motion passed unanimously.

AGENDA ITEM: SUBDIVISION AGREEMENT FOR LAS VISTAS MINOR SUBDIVISION - Discussion and consideration of a Subdivision Agreement for Las Vistas Minor Subdivision.

Councilmember Sa moved to table Items 8 and 9 to the second Tuesday in October. Councilmember Bohall seconded and the motion passed unanimously.

AGENDA ITEM: FINAL PLAT APPROVAL FOR WILD HORSE MINOR SUBDIVISION - Discussion and Consideration of the Final Plat for Wildhorse Acres Minor Subdivision.

Community Development Director Bailey presented the staff report, as follows:

Background:

This is a four lot minor subdivision located on Wildhorse Lane at Highway 89 A. The zoning for this area is R1 10,000 square foot lots but what is proposed is 4 one acre lots. The lots will share a well, and the common area for the well has been provided on the final plat map. Each of the lots will have to provide their own septic system which will meet county requirements. The interior road will be built to town standards for a rural lane with 40 feet of right of way.

Wildhorse Lane is a private road that has been chip sealed by the property owners in the area. That portion of Wildhorse Lane that is adjacent to this minor subdivision will be dedicated to the Town of Clarkdale. This will be the first piece in the town gaining dedication of that road. Since the road has been chipped sealed recently, the staff is recommending that a \$6,030 cash deposit be required as part of the subdivision agreement to cover future chip seal costs.

Recommendation:

Staff is recommending that the final plat be approved with the following stipulations:

Prior to recording of the Final Plat for Wildhorse Acres Minor Subdivision:

1. The developer shall be required to enter into a Subdivision Agreement with the Town of Clarkdale that stipulates the terms for the provision and release of assurances to cover the cost of improvements that are a part of the subdivision.
2. The Subdivision Agreement shall reflect the requirement that an individual engineered site/grading and drainage plan that must be prepared by an Arizona Registered Engineer [P.E.] will be submitted to the Town of Clarkdale

for review and approval at the time application is made for a building permit for each individual lot.

Community Development Director Bailey clarified the location as south of Highway 89A on the way to Jerome. There was discussion of Wildhorse Lane, the width of the road and the transition to the existing road.

Zack, owner of the property, stated that instead of increased density zoning they are proposing four larger lots. They are putting together CC&Rs and a property owners association for the well maintenance.

Steve, engineer, stated they decided to have one common well as it seemed a benefit.

Zack stated they have an attorney working on the bylaws for the homeowners' association. It was noted that the well would have to be on a separate parcel.

Steve stated he had done developments with wells on easements and on separate parcels.

There was discussion of a possible problem with who owns the water rights in this sort of situation.

There was clarification of the regulations that non-commercial water suppliers are not required to comply with. Water storage will be necessary for a fire suppression system.

There was discussion of how close Sienna Canyon water lines may be to this subdivision, where Sienna's water lines could be extended to this subdivision. Public Works Director Burroughs stated the design would allow future hook-up to the water system. There was discussion of the sizing of Sienna Canyon's lines to accommodate future hook-up of this development to the water system.

Councilmember Sa moved to approve the Final Plat for Wildhorse Acres Minor Subdivision with the following stipulations:

1. The developer be required to enter into a Subdivision Agreement with the Town of Clarkdale that stipulates the terms for the provision and release of assurances to cover the cost of improvements that are a part of the subdivision.

2. The Subdivision Agreement shall reflect the requirement that an individual engineered site/grading and drainage plan that must be prepared by an Arizona Registered Engineer [P.E.] will be submitted to the Town of Clarkdale for review and approval at the time application is made for a building permit for each individual lot.

3. That the well site be shown on the final plat as a separate parcel that will be dedicated to the homeowners association.

Vice Mayor Wiley seconded and the motion passed unanimously.

AGENDA ITEM: SUBDIVISION AGREEMENT FOR WILD HORSE MINOR SUBDIVISION - Discussion and consideration of a Subdivision Agreement for Wild Horse Minor Subdivision.

Vice Mayor Wiley moved to approve a Subdivision Agreement for Wild Horse Minor Subdivision as written. Councilmember Sa seconded and the motion passed unanimously.

AGENDA ITEM: FIRE PROTECTION ON WATER SYSTEM AND WATER CONSERVATION – A worksession regarding fire protection measures on the Town water system and Town water conservation procedures.

Councilmember Sa noted that the water bill for the park has decreased since last month, but the bill is still high. Public Works Director Burroughs stated the Town has already been complying with the drought plan that has not yet been adopted. They are looking into sprinkler heads and being conscious about the time of day watering takes place. They are watching for leaks and found one in a planter at Town Hall. They are looking into a rain sensor to shut off water when it is raining. The town has a 2” line so the base rate is higher than a residential line.

Discussion of ball field watering and landscaping and Foothills Terrace as an area of fire hydrant concern.

Public Works Director Burroughs noted that Highlands Development will have hydrants and homeowners in the area are extending a line that

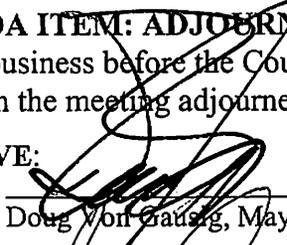
two hydrants will be located on. He is talking with other developments to loop the system and add hydrants. Mescal is the next area to consider. They will be replacing lines in the proposed Las Vistas Subdivision and adding hydrants. He is working with the Fire Department to identify areas where hydrants are needed.

Fire Chief Doerksen stated that in the past, when the water company was privately owned, they had challenges in periodically testing the hydrants. It is better now under public ownership. They are working on doing a water survey to identify weaknesses in the system from a fire suppression standpoint. It has been beneficial to be able to work with Public Works on issues and future planning.

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

Councilmember Williams requested the following item: Discussion and consideration of authorizing the mayor to write a letter of support for Verde Valley Land Preservation Institute.

AGENDA ITEM: ADJOURNMENT - With no further business before the Council and without objection the meeting adjourned at 8:00 p.m.

APPROVE: 

Doug Von Gausig, Mayor

ATTEST: 

Joyce Driscoll, Town Clerk

SUBMIT: 

Charlotte Hawken, Administrative Assistant