

## Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, November 14, 2006

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, November 14, 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:**

Town Manager	Gayle Mabery
Community Dev. Dir.	Sherry Bailey
Town Clerk	Joyce Driscoll
Deputy Town Clerk	Walt Good
Public Works Director	Steven Burroughs
Police Chief	Pat Haynie
Ass’t to Town Manager	Janet Perry
Planner II	Normalinda Zuniga
Finance Director	Carlton Woodruff

**AGENDA ITEM: CALL TO ORDER** - Mayor Von Gausig called the meeting to order at 6:00 p.m. and noted that all Council members were present.

**AGENDA ITEM: PUBLIC COMMENT –**

*Robyn* announced that this is Made in Clarkdale’s twentieth anniversary and invited everyone to attend.

*Ellie* invited everyone to the 2006 High School Invitational Art Show at Yavapai College. She appreciates the ‘residential area’ signs that went up, but she feels that residents should have been consulted again before they went up.

*Drake* stated he is looking for the historic sign that was located at the Chamber visitor center.

*Frank* noted that two properties in upper Clarkdale, which the owners have improved, should be recognized for their efforts.

**AGENDA ITEM: INFORMATIONAL REPORTS-**

**MAYOR’S REPORT** – A report from the Mayor

on current events. Mayor Von Gausig reported that in addition to all of his regular functions:

1. He attended a Verde River Basin Partnership meeting where they discussed the structure of the group and decided on 31 voting members.
2. He accepted a \$50,000 check for a joint Town of Clarkdale/ Clarkdale Heritage Center building renovation grant from the Arizona Office of Tourism.
3. He attended a life-long learning meeting.
4. He attended several 50<sup>th</sup> Anniversary of the Town meetings.
5. He attended the Department of Water Resources Water Advisory Group meeting.
6. He participated in a Verde Valley Leadership Academy.
7. He attended a County Supervisors meeting where the Fire District was approved.
8. He participated in the Halloween events.
9. He made presentations to Prescott City Council and Chino Valley council on the Verde Valley Basin Partnership.
10. He digitized some historic photos.
11. He attended a Natural Resources meeting.

**TOWN MANAGER’S REPORT** – A report from the Town Manager on current events.

Town Manager Mabery:

1. Introduced the new Fire Captain, Joe Moore, and his wife, Kim
2. Stated she has spent a lot of time on the fire district transition. There is a special council meeting on November 28<sup>th</sup> to discuss the fire district.
3. Stated that Town Hall will be closed 11/23-24.
4. Stated that the banner designs for the

Copper Banner project are being put out to the Made in Clarkdale Artists and will come back to the Council in January.

**NACOG** - A report regarding Northern Arizona Council of Governments. Vice Mayor Wiley stated they endorsed the expansion of offices for aged and disabled citizens.

**NAMWUA** - A report regarding Northern Arizona Municipal Water Users Association. Vice Mayor Wiley stated they worked on revisions to their bylaws. They will have an all day retreat Friday.

**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 members were encouraged to write letters in support of Proposition 106. They had a request from Jerome to support preserving Mescal Canyon as a watershed. Their annual meeting will be held 1/8/07. They discussed contacting other non-profit organizations that are working to protect the river. A large map was displayed showing all the waterways in the Verde valley and all property owners who own ten acres or more abutting a waterway.

**Prescott/Coconino Management Plan** – Councilmember Williams stated:

They discussed having Amendment 12 made a permanent part of the Forest Plan.

She is putting together an informational book about the Forest Plan, which may be implemented in March 2009, available for viewing at Town Hall.

**VVTPO** – A report regarding Verde Valley Transportation Planning Organization. Councilmember Bohall reported that they discussed the following issues:

1. Jacks Canyon Road bid process.
2. VV Regional Transportation Plan.

3. Cornville path scheduled for construction in 2009.
4. ADOT is concerned about a bulge in a retaining wall in Jerome.
5. Sedona bus service has begun.
6. Camp Verde had some chip seal fail – the contractor is re-doing it.

**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 A and H.

Councilmember Bohall pulled Item F and G.

Vice Mayor Wiley moved to approve Items B, C, D and E. Councilmember Williams seconded and the motion passed unanimously.

Item A – Councilmember Sa stated there was an incorrect date in the text of the 10/28/06 minutes.

Councilmember Sa moved to approve Item A with the change of date. Vice Mayor Wiley seconded and the motion passed unanimously.

Items F and G– Councilmember Bohall discussed concern about turning off the water after the third usage violation and customers may not be aware that this will occur. Town Manager Mabery suggested adding a paragraph G, stating “The notice of water use violation form shall include information relating to all the provisions of Section 19-1-10 (4).”

Councilmember Bohall moved to approve Item F with a change to Page 11, Item 4, adding "The notice of water use violation form shall include information relating to all the provisions of Section 19-1-10 (4)." Vice Mayor Wiley seconded and the motion passed unanimously.

Councilmember Bohall moved to approve Item G. Councilmember Sa seconded and the motion passed unanimously.

Item H – Councilmember Sa clarified that this will allow Judge Cipriano to hear traffic violations in

Clarkdale juveniles rather than those going to juvenile court.

Councilmember Sa moved to approve Item H.  
Councilmember Williams seconded and the motion passed unanimously.

**AGENDA ITEM: WORKSESSION REGARDING IMPACT FEES** – Discussion and possible direction to staff regarding the development impact fees study for the Town of Clarkdale.

Community Development Director Bailey introduced the item and **Quennelle Quartararo** from Muni Financial. She discussed the following issues:

1. Legal requirements of impact fees.
2. Components of service standards.
3. How to determine facility standards.
4. The existing inventory, system plan and planned facility approaches.
5. Examples of how the different approaches are applied to the different types of improvements to be funded by impact fees.
6. Has been in a data collection stage.
7. Shared estimated timeline to proceed with the project.

Discussion included the following issues:

1. That if the standard increases, not all of the cost is borne by new development because the increased standard also benefits the existing population.
2. The timeline provided and the timing of another worksession.
3. Have had to recreate or construct information needed.
4. Need to re-visit the study since projections and costs will change over time.
5. There is no legal mechanism for how often communities must review the amount of their impact fees.
6. Changing the fee requires the same process

as adopting the first fee.

7. Growth rate projections used for the study.

**AGENDA ITEM: STRATEGIC PLANNING REVIEW** – Recap of October 28, 2006, Strategic Planning Goals for Town of Clarkdale.

Town Manager Mabery stated she wanted to give the Council the opportunity to discuss the goals they set at the Strategic Planning meeting. She noted that staff will be working on objectives for each goal for the 12/12/06 Council meeting.

Councilmember Sa stated he liked that the meeting started off with staff giving reports and that they had the chance to give input. He was disappointed with administrative services department goal regarding getting more familiar with record regulations. He feels it should have been done by now. He thought they had already discussed improving volunteer programs. Town Manager Mabery explained that this goal was to make more specific improvements to that process.

Councilmember Sa stated he talked to several past parks and recreation employees and was told “I was left out”. Town Manager Mabery stated that the challenge was that it was a part-time position. He stated he asked the current parks and rec supervisor questions and he feels someone is lacking about giving that person information about their job. He wanted to know about the Dorothy Benatz trail. Town Manager Mabery stated the Council budgeted for it for this fiscal year and it is included in the goals to complete it.

Vice Mayor Wiley commented on the lack of maintenance on the Eleventh Street trail.

The eight goals of the Council were:

1. Establish a Municipal Community Park complex to provide a central location for a broad variety of community recreation facilities.
2. Create and implement a Clarkdale Branding Campaign.
3. Annex lands adjacent to Clarkdale that meet strategic community vision.
4. Promote and support the establishment of a Clarkdale Main Street Program.

- 5. Update the Facilities Master Plan with a vision to retain municipal services in the downtown area.
- 6. Expand wastewater infrastructure to service developed, but unserved, parcels, as well as new development.
- 7. Create a meaningful and effective Workforce Housing Plan.
- 8. Research, develop and implement the plan for zoning the Town of Clarkdale as a Planned Area Development (PAD).

**AGENDA ITEM: WORKSESSION  
PROPERTY MAINTENANCE** – Worksession to discuss and possible direction to staff with the possibility of establishing a Property Maintenance Code.

Building Official Baker presented the following report:

Background:

In 2003 the Town adopted the International Code Council (ICC) series of building codes to replace the Uniform Building Code (UBC). Due to a merger of the three major building codes used in different parts of the country, the UBC became obsolete and was replaced by the ICC series. One component of the UBC, the Code for the abatement of Public Nuisances, was not replaced with the ICC Property Maintenance Code (PMC), but kept as a way of addressing problems in existing structures. While the UBC code covers some issues peculiar to older buildings, it does not deal with most of the day to day maintenance complaints received by the Community Development Department, nor is it complimentary or able to be cross referenced to the ICC codes. There are many circumstances where the UBC has gaps and is lacking direction. An example: there is no law requiring the posting of address numbers on existing buildings. The PM Code addresses that and other maintenance problems and provides processes of enforcement and appeal. This code is also compatible with our current Town code ordinances.

The Fire, Police, and Public Works Departments

have had the opportunity to comment on this code. Their suggestions have been incorporated into the proposed amendments.

Recommendations:

This is a worksession only and requires no formal action from Council. Staff would appreciate input from Council on what they would like to see included in the ordinance that is submitted for approval.

Building Official Baker noted that the code currently used is out of print and it doesn't correspond with any of the other building codes. The proposed ICC Property Maintenance Code is compatible with the town's current building codes.

Community Development Director Bailey stated that they have provided a copy of the ICC Property Maintenance Code with suggestions of additions and changes.

Staff recommends that, with the adoption of the new code, enforcement remain on a complaint basis and make any needed changes six months after adoption. The change has the potential to be very controversial. Because of this, staff proposes making a concerted education effort.

Building Official Baker gave examples of types of hazards and complaints that are not addresses in the current code. Community Development Director Bailey reviewed and explained suggested staff changes to the ICC Property Maintenance Code, if it were to be adopted.

Discussion included the following issues:

- 1. Need to clearly define "historic buildings" since the provisions of the proposed code are not mandatory for historic buildings.
- 2. The proposed code is applicable to all structures – residential and commercial.
- 3. Adoption of the proposed code does not change the level of enforcement.
- 4. Feeling that complaint driven enforcement may be viewed as 'selective enforcement'.
- 5. There are staffing restraints to enforcing the maintenance code proactively.

6. The proposed code contains an appeal process.
7. The town attorney and prosecutor reviewed the proposed code and their comments were incorporated.
8. The proposed code would allow the building official to require evacuation of a building, which is not presently something he can do.
9. Propose omitting Section 109.2-6, regarding eminent danger, from the code.
10. Section 110 calls for demolition of structures and the process by order to the building official. Currently the town does not have the mechanism to do this.
11. The code recommends a board of appeals. However staff recommends substituting this board with the Board of Adjustment.
12. Codifying of the complaint driven policy and the impacts of Proposition 207.
13. Definition of "private ways" and the maintenance requirements.
14. The property owner, as well as the occupants of a building, needs to have responsibility.
15. Addition of a section on stagnant water.
16. Clarification as to the stagnant water section's applicability to swimming pools.
17. Currently weeds can be up to 24" high. Revision to Section 302.4.1 is suggested limiting height to 8".
18. Applicability to trees overhanging driveways, etc.
19. Discrepancy/location of the definition of "weeds". Need to review the definition.
20. Removal of "dangerous" trees. Responsibility for trimming trees that are a threat to overhead electrical lines and the concern of liability issues.
21. Classic cars are exempt from some provisions. This is already defined in the town code.
22. Intent that vehicles can be stored in garages, not just vehicles being worked on.
23. Most frequent complaint received concerns inoperable vehicles.
24. If people can use a car cover to meet the proposed code rather than it being in a garage or enclosed area.
25. Inoperable cars stored in back yards also may not comply with the proposed code.
26. The code also applies to inoperable or unlicensed boats, trailers and non-motorized vehicles.
27. All swimming pools require fencing.]
28. The requirement for structures to have address numbers.
29. Insect screens being required on every door, window and outside opening.
30. Whether or not to omit the interior property maintenance requirements.
31. Extermination and infestation and definition of "rodents".
32. Light and ventilation.
33. Applicability to solar tubes.
34. Occupancy limitations for sleeping areas.
35. Ventilation for bathrooms and its applicability to "historic" homes.
36. Plumbing facilities and fixture requirements.
37. Mechanical equipment.
38. Electrical equipment.
39. Fire safety enforcement possibly enforced by the fire district through an agreement with the town.
40. Public information campaign.

**AGENDA ITEM: WORKSESSION REGARDING SLOPE ORDINANCE - .**

Worksession with possible direction to staff on proposed changes to the grading ordinance for hillside development.

Councilmember Sa moved to table this item to the

next special meeting on November 28<sup>th</sup>. Vice Mayor Wiley seconded and the motion passed unanimously.

**AGENDA ITEM: FUTURE AGENDA ITEMS –**

Listing of items to be placed on a future council agenda.

Citizen recognition.

**AGENDA ITEM: ADJOURNMENT** - With no further business before the Council and without objection the meeting adjourned at 9:33 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