

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, June 12, 2007

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, June 12, 2007 at 6:00 p.m. in Room M137 at Yavapai College, Black Hills Drive, 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
Town Attorney	Rob Pecharich
Community Dev. Director	Sherry Bailey
Deputy Town Clerk	Walt Good
Finance Director	Carlton Woodruff
Police Chief	Pat Haynie
Assistant to Town Manager	Janet Perry
Wastewater Superintendent	Mick McCullough
Public Works Crew	KC Bailey
Fire Chief	Don Eberle

Others in attendance: Robyn Prud'homme-Bauer, Ellie Bauer, Drake Meinke, Carol Johnson, Phil and Jan Tatum, Ted Cooke, Chris Simko, and Alan Jenkins.

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 –

Ellie Bauer, Clarkdale, thanked Cottonwood Metals for their assistance with the new Town Sign. Ms. Bauer stated she is also concerned with the deteriorating condition of the Clark Memorial Clubhouse and urged Council to form a 501(c)(3) non-profit group to obtain grants for building preservation.

Drake Meinke, Clarkdale, stated he wanted to make Council aware that there are State Centennial Grants available and would like a joint meeting with Council and Heritage Conservancy Board to discuss it.

AGENDA ITEM: INFORMATIONAL REPORTS-

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

1. Town staff, Councilmember Bohall and I celebrated Town Manager Mabery's 15-year anniversary with the town in the park. I believe that our Town is the

best managed town in Arizona. Having a manager who was born and raised here and whose heart and head are in our Town puts us ahead of all the rest!

2. Although the following meeting was not held as Mayor, I think it's important to know what's going on with this issue. I met with Andy Groseta, ditch boss of the Cottonwood Ditch Association. This summer the Cottonwood Ditch is again diverting 100% of the Verde River into their ditch, allowing only a trickle to bypass the diversion. This is a terrible thing for the river's habitat. It means that the river is no longer a viable corridor for transportation and migration of aquatic animals - the diversion becomes, in essence, an unnatural barrier to movements in the river. I talked to Greg Kornrumph, of SRP, and to Max Castillo and Les Bovee of State Parks (which operates the Hickey Ditch) about possible remedies for this situation. I'll continue to work on this issue with State Parks, Freeport-McMoRan and Cottonwood Ditch to find an equitable, legal and durable solution to this annual problem.
3. I sat on a panel with Lucy Mason, Chip Davis, Diane Joens and Tony Gioia about water and upcoming water-related legislation, hosted by the Verde River Citizen's Alliance. There were lots of questions about conservation and development, and we were able to educate the attendees about the practicalities, legalities and political realities of water in Yavapai County. It was also good opportunity for me to spend time with Representative Mason on water issues.
4. I attended the Clarkdale Police Neighborhood Block Party in the Bent River Neighborhood. The party was really nice and attended well.
5. Councilman Bohall and I attended the Downtown Block Party in Clarkdale. It was a great success with several hundred folks turning out to hear a great band, eat grilled burgers and talk to our neighbors. The weather was perfect!
6. Town Manager Mabery, Community Development Director Bailey, Public Works Director Burroughs and I attended a meeting of about 25 people at Yavapai College to discuss the future of the open tract south and west of their current campus. Approximately 20 acres of this contiguous piece is owned by the Yavapai College Foundation, and the

remaining 100+ acres is owned by the college. They wanted to get an idea of what could be done with that property, and what the communities wanted to see happen there.

7. I met with Heather Reading, of the Nature Conservancy, and the TNC Arizona land acquisition director to look over and discuss possibilities around the Peck's Lake area.
8. Councilmember Bohall, Town Manager Mabery and I attended the intergovernmental meeting in Sedona. We discussed affordable (Now "work force", NO! Now "attainable") housing. Sedona's ideas seemed to center around having the Verde Valley communities buy land somewhere between us and them to put land-trust type housing on. They believe that they have no alternative to putting these homes outside their own community, since their land prices are so high and they have limited available open space.
9. Town Manager Mabery, Community Development Director Bailey and I attended a second meeting at Yavapai College to discuss the future of the open tract south of the current campus. The architect/planners brought three different visions for that tract, ranging from a performance arts center with upscale homes to the west to an agricultural plan that placed experimental vineyards in the center surrounded by multi-purpose areas and a "country crossroads" commercial center. All the possibilities shared a central theme of teaching and researching sustainable building, water use, energy efficiency, etc. Most of the participants felt that the college should place itself in the vanguard of demonstrating sustainable uses, whatever the focus of the land use was. The college and the Yavapai College Foundation will now take these discussions back to their boards for further discussion.

One other common element of all the plans that were discussed was a connector road that would loop around Cottonwood Ranch and connect with Minerich Road in Clarkdale. This connector would go through the middle of the 100+ acres that we were discussing from its southeast corner to its northwest corner.

10. I drove through all the accessible streets of Mountain Gate to get a better idea of their progress and activity. I was appalled to see that a very high percentage of the homes are putting Willow, Cottonwood, Ornamental Plum, and other water-intensive species in as landscaping. Then I noticed

(and I don't know how I missed this before) that the entire length of Mountain Gate Boulevard is lined with large Fremont Cottonwoods! Cottonwoods and Willows and Plums? Could there be a less water-wise demonstration of how to landscape in an arid area? This place looks like a demonstration of what not to do!

11. I met with Casey Osborne, of the Osborne Group, who is working with medical groups in Arizona and General Electric to formulate medical records in a central location. Training will be done at Yavapai College. They will make a presentation to Council at a future date.

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

1. Saturday, June 16, 2007 *Mariachi Tierra Del Sol* a mariachi band will be making their debut at the Concert in the Park.
2. On Monday, June 25, 2007 at 6 PM in the Clark Memorial Library, Council will have a special scheduled Special Council meeting on budget and on Tuesday, June 26, 2007 Council will be back at Yavapai College for its normal monthly Special Council meeting.
3. This years Fourth of July celebration will also be the Town's Fiftieth Anniversary of Incorporation. Special events are planned starting with the 7 AM Pancake Breakfast.
4. Joyce Driscoll has taken the administrative job with the Fire District and will start next Monday, June 18, 2007. Joyce has been with the Town for fourteen years and her knowledge will be missed. Thanks to Joyce for her dedication and service to 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. No report.

WAC - A report regarding the Yavapai County Water Advisory Committee.

This was a joint meeting with the Yavapai County Board of Supervisors. WAC is examining alternative structures which will allow the individual members to be on a more equal footing with the supervisors. This means that WAC may evolve into a different kind of organization that is no longer a committee of the county, but is more a "committee of the whole." This means that we will no longer have to go to the supervisors every time we want to take action, spend money, etc. The supervisors will

meet to discuss this at their next meeting. The transition may take several months, while we work out structures. Interestingly, the structures so far discussed have resembled the structure of the Verde River Basin Partnership to a surprising degree.

CATS – A report regarding the Cottonwood Area Transit System. See Consent Agenda Item D.

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

VVLPI – A report regarding the Verde Valley Land Preservation Institute. No report.

VERDE RIVER BASIN PARTNERSHIP –

The Verde River Basin Partnership Coordinating Committee heard from a volunteer lawyer about some possible changes in the bylaws and discussed a proposed budget for the organization. The general meeting for the Partnership will be on June 7th, at which time they'll present the bylaws and other items to the membership at large for ratification.

VVTPO - A report regarding Verde Valley Transportation Planning Organization.

Councilmember Bohall reported that during Public Comment section two citizens reported on the rumble strips being placed on the edge of SR-179 thus forcing bike riders into the flow of traffic. ADOT reported a delay in going out to bid on the SR-89A from Cement Plant Road to Black Hills Drive. They had hoped to go to bid in June 2007 now suspect August 2007, as they still need to acquire some right-of-way. Councilmember Bohall also attended an ADOT meeting that discussed changes to or alternate routes for I-17. ADOT thinks they will have input and the changes made within thirty years.

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.

Items A & D were pulled for discussion.

Vice Mayor Wiley moved to approve Items B, C, E, F, & G. Councilmember Williams seconded and motion was approved unanimously.

Item A – Add the following corrections to the 5/8/07 minutes; on page 6, column 2, paragraph 1, sentence 3, change the word *accusation* to acquisition. And on page 6, column 2, paragraph 7, sentence 3, change the word

HURST to HURF. Mayor Von Gausig moved to approve Item A with changes to the 5/8/07 minutes; on page 6, column 2, paragraph 1, sentence 3, change the word *accusation* to acquisition. And on page 6, column 2, paragraph 7, sentence 3, change the word *HURST* to *HURF*. Councilmember Bohall seconded and the motion was approved unanimously.

Item D - Mayor Von Gausig requested that in the future a utility report be included in this section that reports on the available gallons of water in terms of capacity, consumption and days of storage. Town Manager Mabery said this could be done once the Superintendent for Water is hired. Councilmember Sa asked if the Magistrate report could return to the old version that had dollar amounts on it. Town Manager said that she thought that the Magistrate was going to supply the Clerk's Office the old report and that this form is one they send to the State. Councilmember Williams moved to approve Item D. Councilmember Sa seconded and motion was approved unanimously.

A) Approval of Minutes of the Common Council
Approval of the minutes of the Regular Meeting held 5/8/07 and the Special Meeting held 5/22/07.

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 - 5-23-07

Design Review Board - 5-9-07

Library Advisory Board - 5-3-07

Planning Commission - 5-21-07

Parks and Recreation Board - 5-7-07 and 5-17-07

Heritage Conservancy Board - 5-16-07

D) Reports - Approval of written Reports from Town Departments and Other Agencies

Fire Department Report and Mutual Aid Responses
Report – May 2007

Magistrate Court Report – May 2007

Building Permit Report – May 2007

Police Department Report – May 2007

Cottonwood Area Transit System (CATS) Operations
Report – April 2007

Capital Improvement Report - May 2007

E) GOHS GRANT APPROVAL – Approval of grant application to enter into a contract with the Governor's Office of Highway Safety (GOHS) for a grant of \$495.00.

F) SALARY RANGES – Approval of adopting a resolution adopting a range placement table for salary ranges.

G) ACCEPTANCE OF AN IRREVOCABLE OFFER OF DEDICATION - Acceptance of the Irrevocable Offer of Dedication for the Mescal Well – Verde Highlands LLC.

AGENDA ITEM: BENT RIVER FINAL PLAT – Bent River Village Submittal of Final Plat - Parcels #406-23-003C and #406-23-003E, Bent River Road.

Discussion was held on the Bent River Final Plat. Community Development Director Bailey informed the Council that this is a Condominium Subdivision and about the involvement of surrounding property owners that has been included in this process. The Plat has had to go before the Planning Commission twice as special meetings, the first time called for a realignment of Bent River Road. The public had concerns about the egress to existing property owners and water runoff. The Plat returned to the Planning Commission with Bent River Road being returned to its existing alignment and a stop sign being added to Hillcrest.

Another major concern of the public input was drainage. A site plan was presented with a drainage study done that shows the runoff in the area will be retained and metered allowing it to reduce the flow in two (2) year, ten (10) year and hundred (100) year flood levels.

Community Development Director Bailey also said that the following provisions would have to be met:

1. A grading Plan which meets the Town of Clarkdale grading and excavation requirements is required.
2. Bent River Village will be required to enter into a Subdivision Agreement which stipulates the terms for the provision and release of assurances to cover the cost of improvements that are a part of the subdivision.
3. The applicant shall provide proof of approval from ADEQ for the use of sewer package plant for all parcels within the subdivision.
4. The applicant is required to provide the Community Development Department a copy of the Condominium By-laws and Organization of Unit Owners' Association Rules.
5. All technical review requirements shall be completed.
6. Bent River Village LLC shall provide as-built construction drawings in the format specified by the Town of Clarkdale.
7. The applicant will use non-potable water during construction if available from Clarkdale or Cottonwood.

8. Construction hours are limited to between 6 a.m. and 9 p.m.

Mayor Von Gausig asked about the review by the town engineer on the runoff water and also asked what the Design Review Board (DRB) would review and would they review the landscape. Community Development Director Bailey replied that the town engineer would review the runoff study and that DRB would review the landscaping. There is concern about the bus pick-up for the school district. The current pick-up is close to the proposed site. Community Development Director Bailey said she had recently been informed of the bus issue and had not addressed it yet with Bent River LLC or the school district but will have answers when the subdivision agreement goes to Council for review.

There was discussion about the Bent River Road history. The road is not a dedicated road and is not up to Town road standards. The town may need to look into dedication of the road. The sewage package plant was discussed and the package plant will be on the lower section of the assigned lot and probably an underground unit. Lines will be terraced. The effluent is Class A and could be used for project landscape.

Councilmember Sa questioned the soil compaction on the cliff and if placing the effluent in that area may cause ground slippage. **Phil Tatum** stated that the engineers had researched that and were confident that it would not be a problem. Councilmember Williams questioned if the Town Engineer would be monitoring the grading and compaction. Community Development Director Bailey said that Willdan will monitor the project. When asked about Technical Review, Community Development Director Bailey said that the Town Engineer, Public Works Director and Community Development Director would all continue to review any technical matters and ensure they were resolved.

Councilmember Sa inquired about the water, Mr. Tatum responded that a well had been drilled but that negotiations were continuing with the Town. Councilmember Bohall was concerned with the water runoff and wanted the Town Engineer to review the runoff figures to ensure protection for those individuals down stream. **Mr. Cooke** explained the capture, retention and discharge of runoff and how it would reduce the current runoff. Town Manager Mabery questioned the wording in Section 7 of the stipulations: *The applicant will use non-potable water during construction if available from Clarkdale or Cottonwood.* Mr. Tatum said that the project did not intend to use the on-site well for construction water purposes; they did

intend to use Clarkdale or Cottonwood effluent for that purpose. Town Attorney Pecharich suggested that the word *non-potable* be replaced with reclaimed in Section 7.

Vice Mayor Wiley moved that the Town accept the Bent River Plat with the following stipulations:

1. A grading Plan which meets the Town of Clarkdale grading and excavation requirements is required.
2. Bent River Village will be required to enter into a Subdivision Agreement which stipulates the terms for the provision and release of assurances to cover the cost of improvements that are a part of the subdivision.
3. The applicant shall provide proof of approval from ADEQ for the use of sewer package plant for all parcels within the subdivision.
4. The applicant is required to provide the Community Development Department a copy of the Condominium By-laws and Organization of Unit Owners' Association Rules.
5. All technical review requirements shall be completed.
6. Bent River Village LLC shall provide as built construction drawings in the format specified by the Town of Clarkdale.
7. The applicant will use reclaimed water during construction if available from Clarkdale or Cottonwood.
8. Construction hours are limited to between 6 a.m. and 9 p.m.

Councilmember Williams seconded and motion was approved unanimously.

AGENDA ITEM: MONITORING WELL BID - Discussion and consideration of selecting a successful bidder to provide construction services for the installation of the monitoring well at the reuse site.

Wastewater Superintendent Mick McCullough explained that as per ADEQ requirements of our APP for the wastewater plant, a ground water monitoring well be installed at the lowest point of the VRIC irrigation site, located behind Millers warehouse on Miller Rd. A total of 4 bids came in ranging from \$14,451.24 to \$52,355.75. Chris Simko of Stantec Engineering, which is designing all of our wastewater projects, was able to be present to answer any questions the council may have. The low bidder did not fill out their bid in the appropriate manner and was returned to Drill Tech. When Drill Tech returned the bid, the amounts had been altered making the bid invalid. K.P. Venture bid of

\$23,497.79 then became the low bidder. The well will be 250 to 350 feet depending on where they find the water table.

Councilmember Bohall moved to approve the K.P. Venture Bid. Councilmember Sa seconded. Town Manager Mabery pointed out that because no official bid was before Council, staff should be directed to negotiate the contract and the Mayor given authority to sign the contract. Councilmember Sa removed his second. Councilmember Bohall amended his motion to include direction to staff to negotiate the contract and Mayor given authority to sign the contract. Councilmember Sa seconded the motion and it passed unanimously

AGENDA ITEM: WORKSESSION RECLAIMED WATER INFRASTRUCTURE - A Worksession and possible direction to staff on items within the scope of the master plan.

Superintendent Mick McCullough and Chris Simko with Stantec Engineering, explained the choice of using a 12 inch reclaimed line to move the effluent up Centerville Road to the Cemetery and Deception Wash. Town Manager Mabery explained that the current site is for the existing sewer plant as mandated by ADEQ and that the Town needs to have alternative disposal sites for the effluent. Mountain Gate agreed upon installing the reclaimed line at the Town's cost that they would extend the line further to Broadway for an additional cost to the Town.

Councilmember Sa asked about using the water on the Town park. The Town Manager replied that the cost of a line to move effluent to water an acre and a half was not cost effective. Superintendent Mick McCullough said that at the town's expense Mountain Gate offered to install the pipeline from Broadway up Centerville Road to the end of their property before they pave the road. Staff is checking on this opportunity and will bring it to the Council at a future meeting. Mayor Von Gausig asked if this could save the Town money. Chris Simko said that installing the pipeline before Centerville road is paved would save the Town a considerable amount of money. The Mayor requested an analysis be done by Stantec Engineering and the Town of Clarkdale on how money could be saved and how the Town could legally enter into the agreement without going to bid.

AGENDA ITEM: FIRE DISTRICT IGA TRANSFER OF ASSETS – Discussion and consideration of an Intergovernmental Agreement between the Town of Clarkdale and the Clarkdale Fire District for the Transfer of Fire Protection and Emergency Medical Equipment/Assets from the Town

of Clarkdale to the Clarkdale Fire District.

Fire Chief Eberle explained the transfer of assets to the Fire District from the Town. Mayor Von Gausig noted that the District would be serving about 30 homes that were outside the Town of Clarkdale and that he would like them to know that the Town of Clarkdale was transferring inventory that they had not assisted in purchasing. Vice Mayor Wiley moved that the Town transfer to Clarkdale Fire District Inventory listed at a value of \$727,365.00. Councilmember Sa seconded and the motion passed unanimously.

AGENDA ITEM: FIRE DISTRICT LEASE OF STATION #21 – Discussion and consideration of a Lease Agreement between the Town of Clarkdale and the Clarkdale Fire District for portions of the property at 895 1st South Street, Clarkdale, Arizona, generally described as Clarkdale Fire Station #21.

Fire Chief Eberle explained the lease agreement to Council. Concerns about the wording of Section 11 were discussed. The item was pulled and staff was directed to make changes to Section 11 and return the lease agreement to the Council for further consideration.

AGENDA ITEM: FIRE DISTRICT IGA FOR FUNDING - Discussion and consideration of an Intergovernmental Agreement between the Town of Clarkdale and the Clarkdale Fire District of Funding for Fire Protection and Emergency Services.

Fire Chief Eberle explained the funding agreement. Councilmember Sa moved that the IGA for Funding the Fire District be accepted. Vice Mayor Wiley seconded and motion passed unanimously.

AGENDA ITEM: FIRE DISTRICT IGA FOR FIRE CODE ENFORCEMENT - Discussion and consideration of an Intergovernmental Agreement between the Town of Clarkdale and the Clarkdale Fire District for Fire Code Enforcement.

Fire Chief Eberle explained the IGA for Fire Code Enforcement and said that inspections would be made by the Chief or one of the Captains. Vice Mayor Wiley moved that the Town enter into an IGA with the Fire District for Fire Code Enforcement. Councilmember Sa seconded and the motion passed unanimously.

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

1. Town Code Landscaping
2. Town Code Construction Hours of Operation
3. Joint Meeting with Heritage Conservancy Board to discuss possible State Centennial Grant Opportunities.

AGENDA ITEM: ADJOURNMENT - With no further business before the Council and without objection, the meeting adjourned at 8:04 p.m.

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Walt Good, Deputy Town Clerk

SUBMITTED:

Charlotte Hawken, Admin. Assistant