

MINUTES OF A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF CLARKDALE HELD ON MONDAY, SEPTEMBER 17, 2007, IN THE CLARKDALE LIBRARY BUILDING, 39 N. NINTH STREET, CLARKDALE, AZ.

A REGULAR meeting of the Planning Commission of the Town of Clarkdale was held on Monday, September 17, 2007, at 6:00 p.m., in the Clarkdale Library Building, 39 N. Ninth Street, Clarkdale, AZ.

Planning Commission:

Chairperson	Robyn Prud'homme-Bauer	Present
Vice Chairperson	Amy Bayless	Present
Commissioners	Dave Puzas	Present
	Sarah Vinson	Present
	Jorge Olguin	Present

Staff:

Community Development Director	Sherry Bailey
Planner II	Normalinda Zuniga
GIS Technician	Guss Espolt
Administrative Assistant	Vicki McReynolds

AGENDA ITEM: CALL TO ORDER: The Chairperson called the meeting to order at 6:02 p.m.

AGENDA ITEM: ROLL CALL: The Administrative Assistant called roll.

AGENDA ITEM: MINUTES: Consideration of the Regular Meeting Minutes of July 16, 2007, Special Meeting Minutes of August 9, 2007 and Cancelled Meeting Minutes of August 20, 2007. Commissioner Olguin made a motion to approve the minutes of July 16th, August 9th and August 20, 2007. Commissioner Puzas seconded the motion. The motion passed unanimously.

AGENDA ITEM: REPORTS:

Chairperson's Report: The Chairperson shared with the Commissioners she did not renew her term to serve on the Planning Commission. She felt it was time to let others have the opportunity. The Chairperson stated during her many years she has seen positive changes and it had been a pleasure to serve with everyone. The proposed new applicant should be an asset. The Chairperson was asked to serve on the Board of Adjustment.

Staff Report: None.

AGENDA ITEM: PUBLIC COMMENT: None.

NEW BUSINESS

AGENDA ITEM: DISUCSSION: Proposition 207 Update (from the League of Arizona Cities and Towns 2007 Annual Conference).

The Community Development Director attended the League of Arizona Cities and Towns 2007 Annual Conference. It was presented by: Frank Cassidy, Marana Town Attorney and William J. Sims, III, Moyes Storey. A slide show for the Commissioners was presented along with a handout. The following topics/areas were covered:

PROPOSITION 207 UPDATE

- What has Prop 207 changed?
- Eminent Domain for Redevelopment (when government wants your land for a private developer)
- The issue: What is a “public use”
- Post WW II urban renewal: *Berman v. Parker (1954)*
- 1970’s, 80’s: Shift from slum elimination to economic development. *Poletown Neighborhood Council v. Detroit*
- National Impact
- Arizona: Eminent domain for redevelopment before 2003
- Arizona: Eminent domain for redevelopment after 2003. *Bailey v. Meyers*
- Redevelopment under the U.S. Constitution: *Kelo v. City of New London, 2005*
- Arizona 2006: Proposition 207 eminent domain provisions
- Arizona 2006: Proposition 207 eminent domain attorneys’ fees provisions
- Regulatory takings under U.S. and Arizona constitutions before Proposition 207
- Proposition 207 expands the right to compensation
- Proposition 207 does not provide compensation for regulations addressing specific areas
- Proposition 207 procedures
- Proposition 207 waivers
- Proposition 207 time limits
- Proposition 207 miscellaneous oddities
- Proposition 207 burning issues
- Waivers
- Implicit Waivers
- Indemnities
- Timing of Waivers
- Other Waiver Issues
- Claim Process
- Attorneys’ Fees
- Options
- Work with property owners

There will be a Land Use Claims and Proposition 207 Seminar presented by: William J. Sims III, Moyes Storey & Ed Bantel, Southwest Risk Services, on October 4, 2007, City of Cottonwood. All Board members and Commissioners have been registered to attend.

AGENDA ITEM: CONSIDERATION & POSSIBLE ACTION: Discussion and consideration of relocating the regular scheduled Planning Commission meetings to the Men’s Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ starting October 15, 2007.

Commissioner Puzas motioned to approve the relocating the regular scheduled Planning Commission meetings to the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ, starting October 15, 2007. Commissioner Olguin seconded the motion. The motion passed unanimously.

AGENDA ITEM: FUTURE AGENDA ITEMS:

- Map Overlays
- Discussion: Public Notification of Actions Occurring

AGENDA ITEM: ADJOURNMENT: Commissioner Puzas motioned to adjourn the meeting. Commissioner Bayless seconded the motion. The motion passed unanimously. The meeting adjourned at 7:30 p.m.

APPROVED BY:

SUBMITTED BY:

Chairperson

Vicki McReynolds
Administrative Assistant