Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, December 11, 2007

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 11, 2007 at 6:04 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 Patricia Williams
Councilmember Curtiss Bohall
Councilmember Frank Sa

Town Staff:
Town Manger Gayle Mabery
Finance Director Carlton Woodruff
Animal Control Officer, Steve Smith
Building Official, Mike Baker
Interim Utility Director Ron Doba
Assistant Town Manger Janet Perry
Town Clerk Kathy Bainbridge
Police Chief Pat Haynie
Public Works Superintendent Dennis Inman
Waste Water Superintendent Mick McCullough

Others in Attendance:
Jim Elmer, Jay Kimmel, Becky O'Banion, Drake Meinke, Robyn Prud'homme-Bauer, Ellie Bauer, Richard Dehnert, Mary Gassaway, John Stevenson, Victor Hambrick, Yavapai County Assessor.

CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:04 p.m. and noted that all Council members were present.

PUBLIC COMMENT – Mayor Von Gausig informed the audience that the council could not reply to comments on items that are not on the posted agenda per state law. The Council is interested in the public's comments, but may not be able to respond other than to offer clarification or direct staff.
Ellie Bauer, Clarkdale – reminded the Council that Made in Clarkdale is happening now and has been very successful and thanked the Public Works Department for their help.

INFORMATIONAL REPORTS

MAYOR'S REPORT – A report from the Mayor on current events.
1. Met with Nancy Dallett from ASU to talk about general water issues in Yavapai County regarding a study that they will be conducting to help coordinate water issues and knowledge in the county.

2. Attended a State Parks Verde River Greenway planning meeting at Verde River Greenway Studio. The Greenway planning team is now looking at the possibility of extending the Greenway upstream from Tuzigoot as well as downstream.

3. Attended the monthly WAC meeting at the County Bldg. in Cottonwood.

4. Attended Talk About the Town at Yavapai College. The turnout was light, but the subjects were interesting. There was prolonged discussion of the Fire District's tax impact, and there was some discussion of the location of the package plant at Highlands.

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5. Attended the NAMWUA TAC and Board meetings in Cottonwood at the Public Safety building.

6. Attended VRBP's coordinating committee in Jerome to discuss possible actions in the future.

7. Curt, Pat and I toured Cottonwood's Wastewater Treatment Plant with Steve Burroughs, Ron Doba and other staff.

8. Yavapai County Mayors and Managers meeting was held in Cottonwood at the Guidance Clinic Community Room. We discussed the possibility of hiring a lobbyist who would keep us and our legislative representatives mutually informed.

9. Set up for Town Portraits shot Councilor's portraits as well as some of the staff and family portraits.

10. Shot photos of Santa's visit to Clarkdale. If you haven't seen the shots yet, they are at http://tinyurl.com/3aoqmw.

11. Gayle and I had a meeting with Ellie Bauer in Gayle's office. Ms. Bauer was concerned that the people of Clarkdale were confused about whether the Town is a member of the Verde River Basin Partnership.

12. Attended the Governor's Mayor's summit at the Phoenix Convention Center. The primary item on spring legislative agenda is funding the deficit.

13. Gayle and I met with Virginia Turner, the Governor's Northern Arizona Liaison in the Council office at Town Hall. We talked about future funding, State challenges, transportation issues, and the States participation in the Verde River Basin Partnership, among other issues.

14. I read/wrote and answered approximately 80 e-Mails, visited Town Hall each day to take care of official functions and spent approximately 22 hours per week on Town business.

TOWN MANAGER'S REPORT - Town Manager Mabery informed the Council that the Council Meeting scheduled for December 25th was rescheduled for December 18th at 3:00 p.m., Town offices will be closed on December 25th and January 1st. Finance Director Woodruff will present a mid year budget update at the January 22nd meeting, and the phone system conversion is this week and will improve customer service.

NACOG - A report regarding Northern Arizona Council of Governments. No Meeting.

NAMWUA - A report regarding Northern Arizona Municipal Water Users Association – Mayor Von Gausig reported that the main topic of discussion at both was a contract study performed by Herb Dishlip that advised the members of the possibilities, costs and visibilities of importation of potable water from the Colorado River. A protracted discussion of CAP and Colorado Pact water rights structure took place and Mr. Dishlip gave us his estimation of what rights might be available and at what cost. The bottom line, to me, was that whatever rights we acquire on the Colorado will be very low-priority rights and will come at considerable cost. It was questionable whether the Verde Valley communities should continue to consider Colorado River water as a viable water augmentation strategy.

WAC - A report regarding Yavapai County Water Advisory Council – Mayor Von Gausig reported the council met on November 14, 2007 in Cottonwood. The budget was reviewed along with the administration of the water adequacy bill.

CATS – A report regarding Cottonwood Area Transit System – No meeting

COCOPAI - A report regarding Coconino Yavapai Resource Conservation District – No meeting

VVLPI – A report regarding Verde Valley Land Preservation Institute – Councilmember Williams stated that the Institute met on December 10, 2007. The Fox Ranch easement, changes to their website, interview procedure for a part time researcher, and fund raising were some of their discussions.

VVTPO - A report regarding Verde Valley Transportation Planning Organization. Councilmember Bohall reported that the organization met on November 28, 2007. John Bradshaw, Sedona, was appointed VVTPO chair for 2008. Councilmember Bohall reported that the Jacks Canyon project planning for Cornville Road was 60% complete and that the Camp Verde – chip seal project, Cottonwood Willard Street extension project, and the Sedona SR 179 project were reported on.

VERDE RIVER BASIN PARTNERSHIP – Mayor Von Gausig reported that the Partnership met on November 19, 2007 in Jerome to discuss possible actions in the future.

CONSENT AGENDA – The consent agenda portions 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.

Consent items A, B, E, and F were pulled for discussion.

Vice- Mayor Wiley moved that consent agenda items C and D be approved and or accepted as submitted, Councilmember Bohall seconded the motion, the motion passed unanimously.

A. **Approval of Minutes of the Common Council – Approval of the Minutes of the Regular Meeting held 11/13/07 and the Special Meeting held 11/27/07.**
Councilmember Williams moved to approve the Council Minutes of 11/13/07 and 11/27/07 as presented, Vice-Mayor Wiley seconded the motion. The motion passed unanimously.

B. **Claims – List of specific expenditures made by the Town during the previous month. PPE 11/10/07, PTO 11/19/07, PPE 11/24/07, November Check and CC report.**
Councilmember requested Finance Director Woodruff to have totals on the reports.
Councilmember Sa moved, second by Vice-Mayor Wiley to approve the list of expenditures as presented. Motion passed unanimously.

C. **Board and Commission Minutes – Acknowledgement of receipt of minutes and draft minutes of the previous month's Board and Commission Meetings.**
Planning Commission minutes of the meeting held 11/15/07
Board of Adjustments minutes of the meeting held 11/28/07
Design Review Board minutes of the meeting held 11/14/07
Library Advisory Board minutes of the meeting held 11/08/07
Parks and Recreation Board minutes of the meeting held 11/05/07 & 11/26/07

Heritage Conservancy Board minutes of the meeting held 11/21/07

D. Reports – Approval of Written Reports from Town Departments and Other Agencies.
Building Permit Report - November 2007
Capital Project Report – November 2007
Magistrate Court Report – October 2007
Police Department Report - November 2007
Clarkdale Fire District Report and Mutual Aid Responses Report – November 2007
Cottonwood Area Transit System (CATS) Operational Report - October 2007
Verde Valley Humane Society – October 2007

E. Agreement – Animal Control - Approval of an Agreement for Collection of Dog License Fees between the Town of Clarkdale and the Verde Valley Humane Society along with qualified veterinarians.
Councilmember Sa questioned the ordinances regarding sale of dog licenses. Police Chief Haynie explained that the veterinarians and Humane Society help sell dog licenses for the Town. The Town Attorney helped draft the agreements with the Police Department, although this process has been going on without Agreements over the past years, the Agreement will make a more formal process. Councilmember Sa moved, seconded by Councilmember Bohall for approval of an Agreement for Collection of Dog License Fees between the Town of Clarkdale and the Verde Valley Humane Society along with qualified veterinarians. Motion passed unanimously.

F. Proclamation – Approval of a proclamation declaring December as Arts Month in Clarkdale.
Mayor Von Gausig read the proclamation:.

Made in Clarkdale 2007 marks the 21st year of our celebration of the Arts and Community. This year has seen a major addition to the arts – the gifting of Clarkdale's historic Grand Theatre to the Verde Valley Theatre as its future 'home'.

As the arts continue to grow and flourish and continue to engage the hearts and minds of its makers, performers and audiences, the Town of Clarkdale, through its Town Council, reaffirms its commitment to the arts.

WHEREAS: We applaud the diversity in approaches to making and producing our visual and performing arts, and

WHEREAS; we recognize that art is one of the best ways to engage young and old in learning, and

WHEREAS; the arts are a sound economic investment, attracting audiences, supporting jobs and generating government revenue, and

WHEREAS; art and culture, simply described, is one of the things that makes life worth living, and

WHEREAS; history may judge us largely by our arts and culture,

THEREFORE; the Mayor and Town Council declare December as Clarkdale's ART MONTH, recognizing that as our town develops, the arts will continue to flourish, and they must be part of our legacy.

Councilmember Williams moved, seconded by Councilmember Sa to approve the Proclamation declaring December as Arts Month in Clarkdale. Motion passed unanimously.

PRESENTATION – Yavapai County Assessor presentation regarding property assessment process. Victor Hambrick, Yavapai County Assessor, presented a PowerPoint presentation to the Council explaining the operation and process of the County Assessors Office.

COUNCIL UPDATE – INTERNATIONAL PROPERTY MAINTENANCE CODE. An update on the first year of Staff's implementation of the enforcement efforts relating to the 2003 International Property Maintenance Code. The Town Council adopted an amended version of the 2003 International Property Maintenance Code (PMC), and directed Staff to inspect the Town for junk vehicles, missing address numbers and rubbish. Building Official Baker informed the Council that the Clarkdale Police Explorers helped immensely by distributing flyers explaining the need for address numbers on buildings whose rear yard abuts alleys or streets, and offering to install them. 136 numbers have been distributed to date. There have been approximately 650 initial property maintenance inspections done since the PMC was adopted, predominantly in the Upper Clarkdale and Haskell Springs areas. Out of 119 violations, 38 are active, and 81 have been resolved. Only a certain portion of staffing can be dedicated to property maintenance code inspections. The Building Inspector has been able to spend additional time on the project since building permits are down. Currently, the Inspector is spending 20 – 25 hours per week, along with additional staff time of about 5 hours per week. Violations are being corrected, citizens are more involved and aware, and the Town is looking much better. The next target area will be lower Clarkdale.

INOPERABLE VEHICLES ON PRIVATE PROPERTY - Discussion and direction to staff relating to a Town Code Amendment for Inoperable Vehicles on Private Property, Section 302.8, 2003 International Property Maintenance Code. When the 2003 International Property Maintenance Code was approved by Council for inclusion in the Town Code, one of the amendments allowed an unspecified number of inoperable or unlicensed vehicles to be stored on private property as long as they were covered by a commercial cover, or stored inside a building. Building Official Baker explained that the Community Development Department (CDD), as well as the Mayor and several Council members, received complaints from residents that even though the vehicles were covered, they were still an eyesore along with being a health and safety hazard. The residents who have complained feel that rather than having the vehicles covered, they should be removed, or at the very least, completely screened, and a limitation established for the number of inoperable vehicles that may be openly stored.

After much discussion, the consensus of the Council was that all inoperable vehicles be allowed to be stored in the rear yard only, with the exception of a suitable garage or outbuilding; a limit of no more than two vehicles be allowed per premises; an opaque fence complying with the Zoning Ordinance must be used to screen any inoperable vehicles from public and private view; and that new provisions take effect one year from the adoption of the amendments. Covers would be needed until compliance with the amended ordinance. Building Official Baker will return with an amendment to the Property Maintenance Code which will also address the fence code.

CONTRACT – MESCAL WELL ENGINEERING CONTRACT - Consideration of an amendment to the existing contract between Willdan and the Town of Clarkdale for engineering of the Mescal Well project adding the electrical design. Willdan, the engineering firm that is providing awarded engineering services for the Town of Clarkdale's Mescal Well has submitted an amendment to their contract. Utility Director Doba explained the electrical engineering amendment to the Mescal Well contract between the Town and Willdan. The original

contract in the amount of $91,274.50 was submitted by Willdan without electrical design costs being included until a portion of the design was completed and electrical needs were determined. Willdan has now completed the design portion of the wells components and is able to identify the electrical requirements and develop the required information to secure an electrical designer. The electrical design and administration amendment to the contract is an additional $18,325.25. Site Survey costs have been revised due to Town staff contracting locally for surveying services and removing $3,500 from the contract costs along with an additional removal of $1,000 for coordination and administration costs.

The original contract will be reviewed to see if the electrical and arsenic removal were included. The Mayor proposed to table this item until there is a more detailed report from Willdan clarifying the expense. Council would like to review the original contract also and it should be included in the council packet for review.

CONTRACT – MAIN STREET WATERLINE ENGINEERING CONTRACT - Consideration of an amendment to the existing contract between Willdan and the Town of Clarkdale for engineering of the Main Street Waterline replacement project. Utility Director Doba explained that Willdan did not have internal staffing to provide survey work for their project. Town staff was able to contract locally for the service and remove $3,700 from the Willdan contract, for a new total of $31,650. Councilmember Sa moved, and Vice Mayor Wiley seconded to approve the amendment to the existing contract between Willdan and the Town of Clarkdale for the engineering of the Main Street Waterline replacement project making the new total contract $31,650. Motion passed unanimously.

INTERGOVERNMENTAL AGREEMENT – YAVAPAI COUNTY FLOOD CONTROL AGREEMENT – Discussion and consideration of acceptance of an intergovernmental agreement for $67,785.00 between the Town of Clarkdale and Yavapai County Flood Control District, to fund drainage studies, install culverts, improve drainage ways and other flood mitigation work. Public Works Superintendent Dennis Inman explained that Yavapai County Flood Control District had set aside carry-over FY 2006-07 funds to assist the Town with flood control measures in the Black Hills Estates. The Town has identified an area near the cemetery that requires flood control attention and are negotiating with Yavapai County Flood Control to use these existing approved funds for that project. Councilmember Williams moved, and Councilmember Sa seconded the approval of the Yavapai County Flood Control Intergovernmental Agreement for $67,785.00 between the Town of Clarkdale and Yavapai County Flood Control District, to fund drainage studies, install culverts, improve drainage ways and other flood mitigation work. Passed unanimously.

SPIRIT OF CLARKDALE – Discussion and consideration of the recommendation to Council on the inaugural "Spirit of Clarkdale" nominations. Kathy Bainbridge, Town Clerk, presented Council the recommendations of the review committee. The Council clarified their position regarding board and commission members and the scope of their duties and requested that the Heritage Conservancy Board members be taken off the recommendation list. The Council will make a presentation of the Spirit of Clarkdale awards at their meeting in January.

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

ADJOURNMENT - With no further business before the Council and without objection the meeting adjourned at 8:45 PM.

APPROVED:

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Doug Von Gausig, Mayor

ATTESTED:

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Kathy Bainbridge, Town Clerk

SUBMITTED:

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Walt Good, Deputy Town Clerk

Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale Held on Tuesday, December 18, 2007

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, December 18, 2007 at 3:03 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 Patricia Williams
Councilmember Curtiss Bohall
Councilmember Frank Sa Absent

Town Staff:
Town Manger Gayle Mabery
Finance Director Carlton Woodruff
Parks and Rec Supervisor Dawn Norman
Police Clerk Jan Boyd
Interim Utility Director Ron Doba
Assistant Town Manger Janet Perry
Town Clerk Kathy Bainbridge
Police Chief Pat Haynie
Public Works Superintendent Dennis Inman
Deputy Town Clerk Walt Good

Others in Attendance:
Richard Dehnert

CALL TO ORDER - Mayor Von Gausig called the meeting to order at 3:03 p.m. and noted that Councilmember Sa was absent and all other Council members were present.

PUBLIC COMMENT – Mayor Von Gausig informed the audience that the council could not reply to comments on items that are not on the posted agenda per state law. The Council is interested in the public's comments, but may not be able to respond other than to offer clarification or direct staff.
None

Development Agreement Amendment – Mountain Gate (Empire Residential) Increased Pipe Sizing of Wastewater Force Main - Approval of over sizing approximately 1,824' of 3" force main to 8" diameter gravity sewer for the amount of $33,896 to Empire Residential, Inc.
Ron Doba, Utilities Director, presented the Mountain Gate Subdivision Development Agreement Amendment to Council describing the changes proposed and the benefits for the Town. As part of the Development Agreement with Empire Residential, Inc. for the Mountain Gate Project, Empire is to construct a lift station to pump the backwash water from the arsenic removal facility to the Town's sewer system at Valley View Drive and Hwy 89A. The project includes approximately 3,684' of 3" force main that runs from the reservoir out to Highway 89A. Approximately 60-70 future sewer service connections can be provided to the Town if 1,824' of force main is changed to 8" gravity sewer. The new sewer line would comply with the Town's Wastewater Master Plan. The additional cost for over sizing is $33,896 and would be funded through development fees which have already been collected.
Vice Mayor Wiley moved to accept the proposed Mountain Gate (Empire Residential) Subdivision Development Agreement Amendment over sizing approximately 1,824' of 3" force main to 8" diameter gravity sewer for the amount of $33,896. Councilmember Bohall seconded the motion. Motion passed unanimously.

Contract Addendum – K.P. Ventures Drilling and Pump Change Order on Monitoring Well - Approval of Change Order No.1 in the amount of $8,347.28 to K.P. Ventures Drilling and Pump to stabilize the bore hole for Monitoring Well No.2.
Ron Doba, Utilities Director, presented the proposed changes to the K.P. Venture contract on the monitoring well. K.P. Ventures has a contract with the Town to drill Monitoring Well No.2 for $23,497.79. The soil was found to contain a large amount of gravel cobbles causing the hole to collapse. Change Order No.1 is for the contractor to add lean concrete to the bore hole that will stabilize the soil and permit the drilling without collapsing of the hole. Stantec has reviewed the change order request from the contractor and recommends approval.
Councilmember Bohall moved to accept K.B. Ventures Drilling and Pump Change Order No. 1 on the monitoring well contract in the amount of $8,347.28. Vice Mayor Wiley seconded the motion and the Motion passed unanimously.

Horse Drawn Carriage Agreement between Jackie Odom and the Town of Clarkdale, Special Event Extension to the Hours of Operation - Approval of one-time extension to the hours of operation to 12:30 a.m. on January 1, 2008 for the Town's New Year's Eve Celebration on December 31, 2007.
Dawn Norman, Parks and Recreation Supervisor, explained the request that Council extend the horse drawn carriage rides hours of operation to 12:30 AM on January 1, 2008 for the Town of Clarkdale New Year's Eve Celebration. The horse drawn carriage route will take riders through the holiday illuminated streets, around Town Park, and then back to the Clubhouse. **Councilmember Williams moved to approve a one-time extension to the hours of operation on the Horse Drawn Carriage Agreement between Jackie Odom and the Town of Clarkdale to 12:30 a.m. on January 1, 2008 for the Town's New Year's Eve Celebration on December 31, 2007 . Seconded by Vice Mayor Wiley , passed unanimously.**

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

ADJOURNMENT - With no further business before the Council and without objection the meeting adjourned at 3:21 p.m.

APPROVED:

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Doug Von Gausig, Mayor

ATTESTED:

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Kathy Bainbridge, Town Clerk

SUBMITTED:

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Walt Good, Deputy Town Clerk