

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, February 12, 2008**

A Regular meeting of the Common Council of the Town of Clarkdale was held on Tuesday, February 12, 2008, 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 Patricia Williams
Councilmember Curtiss Bohall
Councilmember Frank Sa

Town Staff:

Town Manager Gayle Mabery
Finance Director Carlton Woodruff
Police Chief Pat Haynie
Public Works Director Steve Burroughs
Building Official, Mike Baker

Assistant Town Manager Janet Perry
Community Development Director Sherry Bailey
Interim Utility Director Ron Doba

Others in Attendance:

Richard Dehnert, Drake Meinke, Robyn Prud'homme-Bauer, Ellie Bauer, Matthew Morris, Charlie Scully, Mary Fassaway, R. Brunt, Betty Klassen, Laura Jones, Peg Sarkisian, Phil Sarkisian and Shelby Maynard.

CALL TO ORDER - Mayor Von Gausig called the meeting to order at 6:00 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.

No public comment.

INFORMATIONAL REPORTS

MAYOR'S REPORT –

1. Attended the Governor's State of the State speech.
2. Attended the Verde River Greenway 'Braintrust' meeting.
3. Met with Cottonwood Chamber of Commerce representatives to discuss the Birding & Nature Festival.
4. Attended the Town of Clarkdale's Strategic Planning Session.
5. Attended Yavapai County Mayors & Managers meeting.
6. Attended the Natural Resources Committee meeting.
7. Salt River Materials Group meeting to discuss future Industrial Road and Cement Plant Road and future ideas of rail service to the area.
8. Meeting with Mountain Gate residents.
9. Attended the "Meet the Candidates" session.
10. Attended Mike Bluff's investiture.
11. Meeting with Patty West from Ecological Monitoring & Assessment to discuss river issues and environmental impacts.

12. Lunch meeting with Town Manager Mabery, Lisa O'Neill & Teresa Propeck to discuss the train operations and ways to improve future operations.

The Mayor introduced information on water related legislation that will be in the upcoming election, and a copy of a letter from Salt River Project regarding Prescott's water rights. He will email copies to anyone interested in reading either one.

The Mayor introduced information regarding Searchlight Minerals (parent company of Clarkdale Metals) about their company and current projects, including the slag pile remediation in Clarkdale. He will email copies to anyone interested in reading it.

TOWN MANAGER'S REPORT - Town Manager Mabery informed the Council:

1. The Fire District will hold their regular meeting on February 14th – it is open to the public.
2. Many representatives and Town employees will participate in a legislative Open House in Phoenix on February 19th.
3. The Town of Clarkdale will be hosting the quarterly Intergovernmental meeting at 6:00 pm in the Men's Lounge on February 28th.
4. Upcoming election information – Election day is March 11, 2008 and ballots should be in the mail.
5. ADOT improvement project update – slight delay, but moving forward. ADOT intends to comply with Town of Clarkdale's construction hours but if there is some reason they need to alter those hours, they are a state agency and can do so on their own authority.

NACOG - A report regarding Northern Arizona Council of Governments.

Their annual retreat was held in January where all department reports were received and the annual audit was approved.

NAMWUA - A report regarding Northern Arizona Municipal Water Users Association –

1. 2/1 attended NAMWUA meetings

WAC - A report regarding Yavapai County Water Advisory Council –

1. 1/14 attended a Natural Resource Committee meeting regarding various water related issues. Mayor Diane Joens will take position of WAC co-chair from the Verde side, Mayor Von Gausig will take that position next year.
2. 1/16 WAC meeting

CAT – A report regarding Cottonwood Area Transit – No meeting

COCOPAI - A report regarding Coconino Yavapai Resource Conservation District –

Councilmember Williams reported on the meeting held 1/28 where Chino Valley growth and service issues were discussed. That area is hopeful about annexation plans to have positive economic impacts.

VVLPI – A report regarding Verde Valley Land Preservation Institute – Councilmember Williams Nothing to report

VVTPO - A report regarding Verde Valley Transportation Planning Organization. Councilmember Bohall reported on the meeting held January 23, 2008.

- Plans for a new bridge to be built over Oak Creek at Talequepaque was discussed.

- John Bradshaw from Sedona was recognized as the new chairman.
- Tim Costello reported for Cottonwood that there is a \$650,000 NACOG grant for the Willard St. extension from 89A to Monte Tesoro project. The last of the right of way has been obtained. Construction to start this summer.
- West Mingus Avenue from 89A to Willard. New development, mixed use. New land owner. Traffic has increased from 1600 cars per day to over 7000 cars per day since the new bridge over the Verde River opened.
- Charles Mosley reported for Sedona that a traffic signal at 89A and Airport Road will be installed. No definite date. Development is planned at that intersection with turn lanes during the 08/09 fiscal year.
 - Street lights on 89A a very contentious issue.
 - SR 179 construction from “Y” South. A new bridge over Oak Creek South of the current bridge. Joint use until the end of the project, when old bridge will be removed and new bridge widened.
- VOC, Big Park - John Gillam reported 2 ½ roundabouts so far. Positive reception from public. 16’ median with landscaping. Trying to form an improvement district for maintenance. Public opposition, they need 60% approval and so far have 40%.
- Beaver Creek - Janet Aniol reported that residents are pleased with the Beaver Creek Road improvements. There are a lot of illegal roads in the Beaver Creek area. No right of way or legal easements. Some property owners are ditching and fencing illegal roads that cross their property.
- Cornville - George Dana reported they are currently undertaking a trails study. NAU to do a study on 80 acres adjacent to Windmill Park to determine best use.
- ADOT - Flagstaff District representative reported SR 179 roundabouts in Phase 2. SR 260 Stakeholders meeting on January 30.
- Next meeting March 26, 2008.

VERDE RIVER BASIN PARTNERSHIP –

1. 1/14 VRBP coordinating committee meeting

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.

- A. Approval of Minutes of the Common Council** – Approval of the minutes of the Regular Meeting 1/8/08 Special Meeting 1/22/08 and Strategic Planning 1/23/08 - 1/24/08
- B. Claims** – List of specific expenditures made by the Town during the previous month. PPE 1/5/08, PPE 1/19/08 and Check Summary/Chase Report
- 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 1/3/08, 1/24/08
 - Board of Adjustments minutes of the meeting held 1/23/08
 - Design Review Board minutes of the meeting held 1/9/08
 - Library Advisory Board minutes of the meeting held 1/3/08
 - Parks and Recreation Board minutes of the meeting held 1/7/08, 1/14/08, 1/22/08
 - Heritage Conservancy Board minutes of the meeting held 1/16/08, 1/23/08

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

Building Permit Report – January 2008

Capital Project Report - January 2008

Magistrate Court Report – December 2007

Police Department Report - January 2008

Clarkdale Fire District Report and Mutual Aid Responses Report - January 2008

Cottonwood Area Transit System (CATS) Operational Report – December 2007

Verde Valley Humane Society – December 2007, January 2008

E. Waiver Of Fees For Operation Graduation – Approval of a request by Operation Graduation 2008 to waive user fees for use of Clark Memorial Clubhouse.

F. Board & Commission Appointments – Approval of Resolution # _____ making an appointment to the Library Advisory Board.
Approved, Resolution # 1251

G. Town Manager Evaluation Review – Approval of the review of the Town Manager’s Evaluation conducted on November 13, 2007, by Town of Clarkdale Common Council in Executive Session.

H. Board & Commission Appointment – Approval of a Resolution # _____ making an appointment to the Design Review Board.
Approved Resolution # 1252

Vice Mayor Wiley moved to accept items A, B, C, D, E, F, G and H of the consent agenda and Councilmember Bohall seconded the motion. Motion passed unanimously.

NEW BUSINESS

PRESENTATION BY COTTONWOOD AREA TRANSIT (CAT) – Presentation from Cottonwood Area Transit on the new “Branding” program.

Cottonwood Transportation Director, Shirley Scott, presented Council with the new design concepts for Cottonwood Area Transit. CAT’s history contains a perception of service provided to seniors and people with disabilities. Other services are not being used as much as they would like. Their rebranding efforts took this into consideration. Draft logo designs were shared with Council. A new electric bus is part of the fleet and they are in the process of building a new site. There are 9 buses in current fleet with 14 seats in each. Unveiling of the new bus and logos will take place tomorrow at old substation in Cottonwood. The “s” is being dropped from CAT.

Councilman Bohall commented that at a recent meeting he attended comments were made as to Shirley Scott’s good reputation of running an effective and successful transit business.

PURCHASE OF WATER METERS AND WATER METER READING EQUIPMENT – Consideration of bid award for water meters and water meter reading equipment to HD Supply Waterworks for a total bid price of \$56,788.17.

Interim Utilities Director, Ron Doba, provided Council the information on the water meters and the water meter reading equipment being considered in awarding a contract for purchasing. Meter

reading is scheduled to start 3/17/08. Discussion included: bid specifics; different types of meters were described; meter standards; meter functions; cost factors.

Vice Mayor motioned to accept the bid as moved, Councilmember Williams seconded, passed unanimously.

NOTICE OF INTENT TO SET RECLAIMED WATER RATES AND ADJUST POTABLE WATER RATES AND FEES – Discussion and possible action to adopt a Notice of Intention to set rates for reclaimed water and adjust potable water rates and fees along with establishing March 25, 2008 as the date for a public hearing on the proposed reclaimed water rates and potable water rates and fees.

Interim Utilities Director, Ron Doba, provided Council with the A.R.S. timeline required to enact Reclaimed Water Rates. Two things that will be addressed: establishing a rate for the sale of reclaimed water and consideration of the new Water Code verbiage – specifically that verbiage pertaining to water line taps. The 3/25/08 Public Hearing will take place at Council's Special meeting held in the Men's Lounge. Town Manager Mabery added that a few requests for purchase of reclaimed water have already been received and that we need to get rates set in order to start responding to those requests. In the future, when the new water treatment facility is on-line, these rates will need to be reevaluated in consideration of the ability at that time to provide an improved class of reclaimed water.

Councilmember Bohall mentioned that the recent newspaper article press release on this topic was not clear leading to unnecessary confusion and concern among residents. Town Manager Mabery suggested how this notice can be stated more clearly. There was general discussion about Notice of Intent verbiage and how the Ordinance can be presented in the most efficient manner.

Vice Mayor Wiley moved to accept the Notice of Intent to set reclaimed water rates and amend the Town's water fees relating to water line taps. Councilmember Bohall seconded, passed unanimously.

UPDATE MOUNTAIN GATE SUBDIVISION – Informational update and discussion regarding Empire Constructions – Mountain Gate Subdivision.

Town Manager Mabery noted that a meeting was held last week with Mountain Gate residents; relayed history of Mountain Gate financial issues. January 22, 2008 the Town of Clarkdale was notified that Empire was freezing all operations in Clarkdale, in Arizona and in California. Frozen is the term used by Empire Construction not the Town of Clarkdale. January 31, 2008 the President of Operations for Empire in Arizona called to inform the Town he was submitting his resignation that to his knowledge Empire would be filing Chapter 11 Bankruptcy. Town Attorney has no confirming reports that Empire Corporation has filed for Chapter 11/bankruptcy. Town's has varying levels of concern, first, resident issues and second, infrastructure in the Mountain Gate Subdivision. Current site status and evaluation has been completed by the Town staff. The subdivision agreement has bonding company functions and processes available to the Town to complete projects. Staff has developed a punch list with financial capacity of the town to address punch list items, site safety issues and prioritized those items with which ones have to be done now and which ones can wait. The Town has requested the Town Attorney send a letter to Empire outlining concerns. Concerns and confusion from the residents about the community center, warranty issues, homes not yet completed, status of the HOA's, will be discussed at the upcoming meeting for Mountain Gate residents on 2/19 in Men's Lounge.

Mayor Von Gausig described the bonding process and what types of items are allowed under bonding and that only items that would become public property would be covered like streets, water and sewer. The roundabout needs repair and is on public property but has never been accepted by the Town because it is in need of repair.

Warranty issues can be dealt with through AZ Registrar of Contractors – claims need to be filed by affected individuals and followed through by each person filing.

Mayor opened the meeting to Public Comment.

Public comments:

Matthew Morris, resident of Clarkdale. Thanked the Town and the excellent staff for reaching out to the Mountain Gate residents on these issues. Will there be Public Comment on use of bonds? Town Manager Mabery explained current staff is working on prioritizing outstanding issues, would like Council’s consent to work with neighborhood group when finalizing the decisions to address items to be dealt with.

Richard Dehnert, resident of Clarkdale. Question about dust abatement – will the Town take on responsibility of that? Town Manager Mabery explained that as we move forward dust and weeds might become serious issues. Those issues will be weighed amongst all other issues in prioritizing the problems to deal with as we move forward.

Mayor closed Public Comment.

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

None

ADJOURNMENT - With no further business before the Council and without objection the meeting adjourned at 7:32 PM.

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk