

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, September 9, 2008**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 9, 2008, at 6:00 PM at Clark Memorial Clubhouse, 19 North Ninth Street, Men's Lounge, Clarkdale, Arizona.

Town Council:

Mayor Doug Von Gausig - Absent
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery
Public Works Director Steve Burroughs
Finance Director Carlton Woodruff
Town Clerk Kathy Bainbridge
GIS Planner Guss Espolt
Deputy Town Clerk Walt Good

Assistant Town Manager Janet Perry
Community Development Director Sherry Bailey
Police Chief Pat Haynie
Utility Director Wayne Debrosky
Town Attorney Rob Pecharich

CALL TO ORDER – Vice Mayor Wiley called the meeting to order at 6:04 PM and noted that the Mayor was absent on a much deserved vacation.

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

Lidia Schabacker, Clarkdale, spoke on retaining the “Tree Triangle” formed by First South, Clarkdale Parkway and Sunset. She would like to see this area retained in its present configuration a beautiful riparian and botanical area. Then she said that the local residents would also request that the recent stock piles of dirt and boulders be removed as they are an eyesore. Finally everyone in the neighborhood knows that there is construction in the area and would like the ADOT electronic sign removed.

Chris Boothe wanted to thank the Town crew on the maintenance of the Town Park. He also spoke on the “Tree Triangle” possible project and the dumping of dirt and rocks. The analogy he used was the ‘broken window’ where others see a broken window they will tend to break more. Where others see the dumping of dirt they will think that it is appropriate to dump there also. He is requesting removal of the dirt and rocks and the ADOT sign.

INFORMATIONAL REPORTS

MAYOR’S REPORT – A report from the Mayor on current events - No report.

TOWN MANAGER'S REPORT – A report from the Town Manager on current events. Town Manager Mabery handed out a written report and spoke on some of the issues included in that report.

Because of the economic downturn the state and federal grant sources are trimming their budgets and the funding that is related to them will affect present and future grants. The Town could be affected if the HURF funds are changed as these are the funds the Town uses to do street maintenance, if reduced the Town would have to reduce the plans for street projects.

Economic Strength Program Grants will be reduced to only one round of applications. Cuts could also affect the recent Transportation Enhancement Grant proposal submitted by the Town. It would be November 2008 at the earliest, before we know if it is funded and at what level it was funded.

Town Manager mentioned the complaint and petition relating to the “Triangle of Trees” possible project located at First South, Clarkdale Parkway and Sunset Blvd. Funding is not available without the grant money and if per chance the Town was to be awarded the grant the guidelines require a public input process. The rocks and dirt that were dumped are for projects throughout Town and to fill in the depression at the front of the barricade. The pile in the rear of the tree triangle is to discourage illegal yard waste dumping. The Town crew regularly has to clean up this area.

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

CAT – A report regarding the Cottonwood Area Transit - No report.

NACOG - A report regarding the Northern Arizona Council of Governments - Vice Mayor Wiley reported that NACOG is responsible for Head Start, economic and seniors by managing federal and state pass through money.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association - No report

PFSG – A report regarding the Prescott Forest Stewardship Group - Vice Mayor Wiley has not been able to get anyone to respond back to him and did not have a report

VRBP – A report regarding the Verde River Basin Partnership - No report

VVREO – A report regarding the Verde Valley Regional Economic Organization - Councilmember Dehnert had been to one meeting and mentioned the group is in the formation stage.

VVLPI – A report regarding the Verde Valley Land Preservation Institute - Councilmember Williams reported that she had not been able to attend the September meeting and would get the minutes and report on it in October.

WAC - A report regarding the Yavapai County Water Advisory Committee - No report

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.

- A) **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held 8/12/08 and the Special Meeting held 8/26/08.
- B) **Claims** - List of specific expenditures made by the Town during the previous month. PPE 8/2/08, PPE 8/16/08, August Check and Credit Card Report
- 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 minutes of the meeting held 8/27/08
 - Design Review Board minutes of the meeting held 8/13/08
 - Library Advisory Board minutes of the meeting held 8/7/08
 - Planning Commission minutes of the meeting held 8/7/08, 8/28/08
 - Parks and Recreation Board minutes of the meeting held 8/13/08
 - Heritage Conservancy Board minutes of the meeting 8/20/08
- D) **Reports** - Approval of written Reports from Town Departments and Other Agencies
 - Building Permit Report – August 2008
 - Capital Improvements Report - August 2008
 - Magistrate Court Report – July 2008
 - Police Department Report – August 2008
 - Water and Wastewater Report – August 2008
 - Clarkdale Fire District Report and Mutual Aid Responses Report – August 2008
 - Cottonwood Area Transit (CAT) Operations Report – July 2008
 - Verde Valley Humane Society - July 2008, August 2008
- E) **Archive Policy Manual** – Approval of the Archive Policy Manual which governs the preservation and accessibility of the Town’s archives and artifacts regarding the history, prehistory, culture, or natural history of the Verde Valley of Arizona as recommended by the Heritage Conservancy Board.
- F) **Proclamation for Yavapai County Community Foundation** - Approval of a request from the Yavapai County Community Foundation that the Town of Clarkdale help celebrate fifteen years of service along with creating awareness throughout Yavapai County of what Yavapai County Community Foundation does.
- G) **Intergovernmental Agreement Between the State of Arizona and A Program City** – Approval of an IGA between the Department of Revenue and the Town of Clarkdale regarding taxpayer joint audits and the uniform method of administration, collection, audit, and licensing of transaction privilege and use taxes, imposed by the State or Cities or Towns.
- H) **Special Event Liquor License for Verde Valley Moose Lodge** – Approval of a Special Event Liquor License for the Loyal Order of Moose, Verde Valley Lodge #1449, 1051 S. Broadway, Clarkdale for an event on October 18, 2008.

- D) Arizona State Library, Archives, and Public Records Grants-in-Aid Construction Intent to Apply Form and Letter of Support** – Approval to submit an Intent to Apply and Letter of Support to the State Grants-in-Aid grant program for remodeling, renovation, or alteration of the Library facility.

Councilmember Williams moved to accept the Consent Agenda as presented. Councilmember Bohall seconded the motion. Motion passed unanimously.

NEW BUSINESS

PUBLIC HEARING ON SYCAMORE VIEW SUBDIVISION ZONING CHANGE - A hearing to receive public input regarding the proposed Sycamore View Subdivision Request to rezone APN # 400-05-009C, a parcel located at Main Street and Bonnaha Avenue across from the Clarkdale-Jerome School, from the current R-1 Single Family Residential zoning to R-2 Single Family and Limited Multifamily Residential zoning.

GIS Planner Guss Espolt presented Council the information on Sycamore View Subdivision's request for a Zoning Change. Mimi Perkins, Land Brokers Inc., was introduced to Council as the spokesman for the project. Ms. Perkins stated they did not want to extend the sidewalk from their project boundary to the corner of Main Street and Sixteenth Street. The reason to request the re-zoning is the ability to divide the cost of the infrastructure over eight lots instead of seven.

Councilmember Dehnert asked if the extension of the sidewalk to Sixteenth Street would add value to their property. Ms. Perkins did not know what the possible value change could be on their property, if any.

Councilmember Williams asked about the trail that is mentioned. The trail is not in current use because of a fence that was installed near the rear of their property.

Councilmember Dehnert asked if Land Brokers Inc. intended to build or sell the property after the re-zoning. Ms. Perkins said that depended on several items and could not say.

Vice Mayor Wiley opened the meeting for Public Comment.

No Public Comment.

Vice Mayor Wiley closed the item from Public Comment and opened the item for Council discussion.

ORDINANCE TO REZONE SYCAMORE VIEW SUBDIVISION - Discussion and consideration of an Ordinance amending the Zoning Map of the Town of Clarkdale to rezone certain real property known as Sycamore View Subdivision from R 1 to R 2.

GIS Planner Guss Espolt explained the Ordinance and the requirements for the clarification of the process.

Community Development Director Bailey stated that the Development Agreement would

probably be coming to Council at the September 23, 2008 Special Meeting.

Councilmember Williams asked about the parking stipulations. Ms. Bailey replied that the stipulation was according to the Town's preference that parking for each lot is off the right-of-way and on the individual lots.

Vice Mayor Wiley open Public Comment on the proposed Ordinance.

Lidia Schabacker, Clarkdale, asked if the proposed houses would be in the bungalow style as the other homes in Upper Clarkdale. No building plans, drawings or discussions on home styles have been discussed yet.

Vice Mayor Wiley Closed Public Comment.

Town Attorney Pecharich advised Council the he felt the stipulations should be listed on the Ordinance.

Councilmember Bohall moved to approve the ordinance with the addition of the four stipulations in Section 5. Councilmember Williams seconded the motion.

Discussion – No Ordinance may contain parenthetical marks, parentheses, in it and Section 5 1-A does have parenthesis marks in it.

Councilmember Williams withdrew her second and Councilmember Bohall withdrew his motion.

Vice Mayor Wiley opened the issue for comment.

Ms. Perkins stated that if the stipulation for the extension of the sidewalk remained, then Land Brokers Inc. would like to withdraw the request for the re-zoning as she did not feel it was fair to the owners.

Vice Mayor Wiley closed Public Comment.

Councilmember Bohall moved to approve the Ordinance with the parenthetical removed from the added stipulations. Motion died due to lack of a second.

**UPDATE ON THE RURAL TOURISM DEVELOPMENT GRANT PROGRAM PROJECT–
A presentation regarding the Rural Tourism Development Grant Program “Discovering Rural Arizona’s Largest Historic District”, project update.**

Drake Meinke, Heritage Conservancy Board Chair, presented a PowerPoint presentation on the project of installing informational kiosks throughout the Town. Site location and subject for the kiosks have not yet been determined. The subject will help decide the location. The sides will be made from railroad rails laid in the area in the 1890's and they will be water cut with (to be determined) verbiage cut into the sides. The kiosks are proposed to be made of durable and low maintenance materials. The actual display frames are from the old smelter building, the louver operational window sections.

Councilmember Dehnert asked if arrangements had been made for parking around the proposed kiosks. Mr. Meinke stated that the intent is to place the kiosks in areas where parking is already available.

Vice Mayor Wiley thanked Mr. Meinke for the update and invited him to return in future with more updates.

INTERGOVERNMENTAL AGREEMENT BETWEEN THE TOWN OF CLARKDALE AND THE CLARKDALE-JEROME SCHOOL DISTRICT FOR THE DISTRIBUTION OF TRIBAL CONTRIBUTIONS – Discussion and consideration of an IGA between the Town of Clarkdale and the Clarkdale-Jerome School District for the distribution of tribal contributions according to the State of Arizona Gaming Compact 2002 A.R.S. 5-601-02.

Council reviewed the intergovernmental agreement with Clarkdale-Jerome School District and Councilmember Bohall and Vice Mayor Wiley commended staff on their work.

Councilmember Dehnert moved to approve the Intergovernmental Agreement with Clarkdale-Jerome School District allowing the Town to pass through Prop 202 funds from the Yavapai-Apache Nation. Motion was seconded by Councilmember Bohall. Motion was approved unanimously.

AGREEMENT BETWEEN THE TOWN OF CLARKDALE AND THE CLARKDALE CHAMBER OF COMMERCE FOR THE DISTRIBUTION OF TRIBAL CONTRIBUTIONS – Discussion and consideration of an agreement between the Town of Clarkdale and the Clarkdale Chamber of Commerce for the distribution of tribal contributions according to the State of Arizona Gaming Compact 2002 A.R.S. 5-601-02.

Council reviewed the two options for proposed agreement with Clarkdale Chamber of Commerce. After reviewing both options, Councilmember Dehnert asked the Chamber representatives present which option the Chamber preferred. Robyn Prud'homme Bauer replied that Option A did not allow as much flexibility as Option B would if other opportunities were to become available.

Councilmember Williams moved to approve the Option B agreement with the Clarkdale Chamber of Commerce allowing the Town to pass through Prop 202 funds from the Yavapai-Apache Nation. Motion was seconded by Councilmember Dehnert. Motion was approved unanimously.

WORKSESSION ON TOWN CODE CHAPTER 6 ANIMALS – Discussion and possible direction to staff on possible changes to Town Code Chapter 6 Animals.

Police Chief Haynie presented Council the revised Town Code Chapter 6 Animals for Council review. Chief Haynie stated that the existing animal code had been in need of a revision and that several Town staff had worked on the documents to bring a workable comprehensive document to Council. The change to Section 6-1-2 Nuisance gives the Town Enforcement Officer a more enforceable method of dealing with all animals.

Councilmember Williams asked why no limit was placed on the number of animals per house hold. Chief Haynie replied that it is his experience that some owners with one animal could be a nuisance while other owners with several animals could be responsible owners. The new nuisance section would give the Town the ability to address each issue as it arose.

The sizes of the lot for small animals was discussed and Community Development Director Bailey stated that most applicants for chicken were on lots smaller than 10,000 square feet and no current issues exist with the smaller lots.

Councilmember Dehnert asked if there are any rooster crowing issues. Ms. Bailey replied that she had a goose issue in the area above Black Hills Drive but other than that no poultry issues.

This is a work session only and no action was required.

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

Councilmember Dehnert - Proclamation on MATForce Drop the Drugs Day.

ADJOURNMENT

ADJOURNMENT at 7:52 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk