

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, March 10, 2009.**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 10, 2009, at 6:00 PM at Clark Memorial Clubhouse, 19 North Ninth Street, Men's Lounge, Clarkdale, Arizona.

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

Town Council:

Mayor Doug Von Gausig
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery
Public Works Director Steve Burroughs
Town Clerk/Finance Kathy Bainbridge
Deputy Town Clerk Walt Good

Assistant Town Manager Janet Perry
Police Chief Pat Haynie
Utility Director Wayne Debrosky

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.

Kerrie Bluff, Clarkdale, provided Council a letter from residents on upper Black Hills Drive from Sky Drive to Windmill Lane requesting maintenance of approximately ½ mile of non-dedicated roadway. Since there was clarification of the maintenance issues regarding Old Jerome Highway, the residents requested a future agenda item on this section of Black Hills Drive. Mayor Von Gausig thanked Ms. Bluff for her comments and asked her to contact the Town Manager as Ms. Mabery has some additional information on research done on the subject.

Mayor closed public comment.

INFORMATIONAL REPORTS

MAYOR'S REPORT – A report from the Mayor on current events.

1. Attended meeting on the plasma converter project feasibility. Information on the St. Lucy, Florida system was discussed and the possibility of applying for a research grant to explore the feasibility of the project and the use of the energy byproduct.

2. Attended the League of Cities and Towns Executive committee with two major points of discussion:
 - a. Phoenix Councilmember Greg Stanton, resigned from the League Executive Committee because he has taken a job with Attorney General Terry Godard's Office. This brought up the discussion of who has an automatic seat on the Executive Committee and what criteria should be used to fill vacancies. At present only Tucson and Phoenix have an automatic board member.
 - b. Discussion was begun about this year's League Conference what will be discussed, where it will be and when.
3. Mayor and Town Manager Mabery met with Yavapai-Apache Nation Chairman Thomas Beauty and some Tribal Councilmembers to discuss the Prop 202 donations procedures. Decision was made to have a joint meeting next year before the monies are dispersed and find an item that would benefit the most residents of the area and still comply with Prop 202.
4. Met with Tom Piccioli, Clarkdale Minerals, part of the discussion dealt with the possibilities of the plasma converter project being located on some of the industrial property owned by Clarkdale Minerals and what use the energy byproduct could be to Clarkdale Metals and others.
5. Attended the Verde Valley Intergovernmental Meeting in Sedona. ADEQ made presentation on a regional wastewater facility.
6. Attended Mayor/Managers meeting.
7. Attended water resource forum meeting for General Plan.

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

1. The General Plan Update Committee will have their first meeting on March 16, 2009.
2. There is a proposed joint meeting between the Town of Clarkdale Council and the City of Cottonwood Council on March 31, 2009, in the Cottonwood Public Safety Room. The meeting will include a discussion with the Coconino Forest Service personnel about the best way to protect and preserve the forest service land between Clarkdale and Cottonwood.
3. The Council will be receiving a trial budget at the March 24, 2009 meeting. The first estimates on what we should be receiving from the State, should be coming in the next week.
4. Town has begun the process for WIFA money, five projects have been submitted. In the second phase the Town will need to supply more information. Town was informed that \$25 million in wastewater projects and \$50 million in water projects were submitted for consideration.
5. The Crest Group is working on the Tech portion of the Stimulus Funds. There will be a group going to Flagstaff to get more information.

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

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

NACOG - A report regarding the Northern Arizona Council of Governments – Executive Council agreed to take the recommendation of the TPAC on the transportation stimulus funds. Executive Committee approved the social grant money distribution for next year. Town is in line for a portion of the transportation money distribution in 2010.

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

VRBP – A report regarding the Verde River Basin Partnership – met and discussed discontinuing the possibility of consolidation of VRBP and WAC.

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

VVTPO – Report regarding the Verde Valley Transportation Planning Organization – No Report.

WAC - A report regarding the Yavapai County Water Advisory Committee - Mayor Von Gausig was appointed Co-chair along with Prescott Councilmember Bob Roecker. Discussion was held on the WAC finances and as long as members continue to make payments, the organization will be able to continue to fund the required studies. Also discussed was the map locating water sources in the county, showing where the water is but not how much water is available. Discussion held on the possibility of partnering with the Verde River Basin Partnership to get some of the research done with federal funding under the VRBP federal affiliation. Motion was voted on and defeated, WAC not to partnership with VRBP.

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 2/10/09 and the Special Meeting held 1/30/09, 2/24/09.
- B) **Claims** - List of specific expenditures made by the Town during the previous month. PPE 1/30/09, PPE 2/14/09 & January Check 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 No Meeting
 - Design Review Board minutes of the meeting held 2/11/09
 - Library Advisory Board minutes of the meeting held 2/5/09
 - Planning Commission minutes of the meeting held 2/26/09
 - Parks and Recreation Board minutes of the meeting held 2/11/09

Heritage Conservancy Board minutes of the meeting 2/18/09

- D) Independent Contractor Agreement for Spanish Interpreter Services -**
Approval of Independent Contractor Agreement with Jonohn Cole for Spanish Interpreter Services.
- E) Ordinance of the Town of Clarkdale Creating Chapter 19, Article 19-4-1 (E) (1), Application for Water Service: Deposits, of the Code of the Town of Clarkdale, Repealing Conflicting Ordinances and Providing for Severability –** Approval of an ordinance creating Article 19-4-1 (E) (1).
Ordinance #317
- F) Resolution Making Adjustments to the Town Fee Schedule -** Approval of a resolution replacing Resolution# 1257, adjusting various fees for the Town of Clarkdale.
Resolution #1292

Vice Mayor Wiley moved to accept the consent agenda as presented. Motion seconded by Councilmember Bohall. Motion approved unanimously.

NEW BUSINESS

NOTICE OF INTENT TO SET SEWER FEE RATE – Discussion and consideration of a Notice of Intent to Set Sewer Fee Rate.

Utility Director Wayne Debrosky presented the Council the Notice of Intent to Set Sewer Fee Rate with the supporting documentation. Discussion was held on if rates would be enough to bring the account into the black by the end of the fiscal year. Director Debrosky said that with the increased funds and the changes in operation being reviewed, he believes the wastewater account should be operating in the black by June 2010. Council requested that the staff bring the wastewater account before them to review in January of each year to ensure that the Town's wastewater fund be kept in the black and we have enough money to handle maintenance of the system.

Councilmember Williams asked when the increase would go into effect if everything proceeds as proposed. The first billing would be on the June 2009 bills.

Councilmember Bohall moved to approve the Notice of Intent to Set Sewer Fee Rate and post said notice and set a public hearing on the proposed Sewer Fee Rate. Motion seconded by Councilmember Dehnert. Motion approved unanimously.

LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT, LIFELONG LEARNING - Discussion and consideration of submitting a Lifetime Learning grant application for the Library Services and Technology Act (LSTA) Grant through the

Arizona State Library, Archives, and Public Records.

Kathy Bainbridge, Town Clerk/Finance Director, informed Council that staff proposes to apply for a LSTA Lifelong Learning Grant. The program is for two groups of children and their parents. Group one is up to 24 months and the second group would be 2 to 4 year olds. The program is to assist parents on how to help their child be ready to read by the time they enter kindergarten. The program utilizes music and sight recognition. The Town would offer two sessions to each group and each session would run for eight weeks. Mayor Von Gausig asked if we had identified any Town financial impact and if some of the administrator's salary could be charged back against the grant. Director Bainbridge replied that the grant paperwork has not been finished but what she understood that the administrator cost would be an in-kind cost to the Town. Councilmember Dehnert asked if the Town would be able to review the grant if it was awarded to the Town to ensure the Town's liability. The grant, if awarded, will be returned to the Council for review.

Vice Mayor Wiley moved to approve the submission of a LSTA Lifelong Learning Grant. Councilmember Williams seconded the motion. Motion approved unanimously.

LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) GRANT, CENTENNIAL EXPERIENCE - Discussion and consideration of submitting a Centennial Experience grant application for the Library Services and Technology Act (LSTA) Grant through the Arizona State Library, Archives, and Public Records.

Kathy Bainbridge, Town Clerk/Finance Director, informed Council that staff proposes to apply for a LSTA Centennial Experience Grant. When the document is completed it will be a spiral bound book so that future pages could be added. Publishing estimates are about 2500 copies and should be ready to publish in 2010, if awarded. The Clarkdale walking tour pamphlet would also be updated under this grant if awarded.

Councilmember Dehnert moved to approve the submission of a LSTA Centennial Experience Grant. Councilmember Williams seconded the motion. Motion approved unanimously.

QUIT CLAIM DEED FROM THE TOWN OF CLARKDALE TO THE CLARKDALE FIRE DISTRICT - Discussion and possible acceptance of a Quit Claim Deed to the Clarkdale Fire District for real property commonly known as 921 Calle Tomallo, in Clarkdale, AZ.

Town Manager Mabery gave a history of the transfer of the Centerville Fire Station and the process used to obtain the deed restriction release. Mayor Von Gausig asked Fire Chief Moore if the Clarkdale Fire District still wanted this property. Yes, in fact the Clarkdale Fire District had just re-roofed the property this last weekend.

Councilmember Williams moved to approve the Quit Claim Deed transferring the Centerville Fire Station at 921 Calle Tomallo, Clarkdale, Arizona, to the Clarkdale Fire District. Vice Mayor Wiley seconded the motion. Motion approved unanimously.

DESIGNATION OF USE OF PROPOSITION 202 GAMING REVENUES DISTRIBUTED BY THE YAVAPAI-APACHE NATION – Discussion and consideration of the Proposition 202 Gaming Revenues distributed by the Yavapai-Apache Nation.

Discussion was held to allow staff to determine the use of the funds during the budget process.

Vice Mayor Wiley moved to instruct staff to follow our normal budgeting procedure with the \$14,542.00 donation, and determine its use during the annual budget cycle. Councilmember Williams seconded the motion. Motion approved unanimously.

FISCAL YEAR 2009-2010 SWIMMING POOL AND SALES TAX BUDGET OPTIONS – Discussion and consideration of swimming pool budget options and sales tax percentage options for the FY 2009-2010 budget.

Kathy Bainbridge, Town Clerk/Finance Director, informed Council of the sales tax rate budget options for their review. Staff will bring options back to Council at the March 24, 2009 meeting with different sales tax rates in the Draft Budget. For the increase in sales tax to go into effect so the Town receives funds there is about a three month lag. The Council will have to approve the increase within the next few weeks for funds to start arriving by July 1, 2009. It was noted that Cottonwood has just raised their rate to 3% and Sedona is already at 3%. Governor Brewer is looking at raising the State tax rate by 1%. Mayor Von Gausig asked if these numbers were calculated with a loss of 15% off this year's figures and thought may be a high number.

Mayor Von Gausig opened the meeting to public comment.

Robyn Prud'homme Bauer, Clarkdale, mentioned to Council that even though she realizes that the Town needs to do something she wants the Council to realize there are repercussions to a tax rate increase. Most businesses in Clarkdale are service industries that do not pay or collect taxes. In this economy the increase in sales tax might cause purchasers to delay their purchases. Ms. Prud'homme Bauer stated that the point she wanted to make was that any increase comes with a cost.

With no other public comment the mayor closed public comment on this agenda item.

Councilmember Williams asked if we could place a sunset on this sales tax increase. Town Manager Mabery replied that she did not know if that was legal but would check and advise Council. However, future councils could revisit this

at anytime.

Councilmember Dehnert said that he believes that government should not collect any more or less money than is needed. The 15% reduction is not set, it is just a best guess.

Pool

Janet Perry, Assistant Town Manager, spoke with Council on the proposal to close the pool this year. To get the pool ready for a May 31 opening, the cost will be about \$10,000. This includes about \$2,500 to \$3,000 to have the pool in compliance for a County permit because of required changes to the drains. Costs could be higher if the pump height is not what is needed then the pool would have to be drained for conversion.

Discussion was that the pool cost the Town about \$60,000 a year to have and operate. The funds generated from the pool are less than \$10,000. It will cost the Town about \$10,000 to keep the pool full of water this year.

Councilmember Williams asked what would be required if the pool was drained. The Town would have to re-plaster the pool at a cost of about \$30,000.

It was mentioned that Cottonwood, Camp Verde and Sedona all have community pools.

Discussion was held regarding finding corporate sponsors to operate the pool. Town Manager Mabery replied that those corporate sponsors are having difficulties and the Town is not getting the funding for programs that it has in the past.

Mayor and Council requested that staff bring back a sales tax increase proposal and a plan to close the pool for this year.

EARLY RETIREMENT INCENTIVE PROGRAM– Discussion and consideration of an early retirement incentive program for Town of Clarkdale employees.

Assistant Town Manager Perry explained the proposed Early Retirement Incentive Program and that on average the Town would save about \$45 to \$55 thousand per employee that takes the incentive at a cost of no more than \$10,000 per employee and a program maximum of \$35,000. This is a onetime offer that has to have papers signed by May 1 and the employee has to retire by June 31, 2009. The plan is completely voluntary and just a method to reduce staffing cost for the Town.

Councilmember Dehnert asked if someone does retire would they be eligible for rehire. Ms. Perry said that if that the employee files retirement papers with ARS, the employee could return, but it would be under ARS conditions, and at the

current rate for a new employee.

Vice Mayor Wiley moved to approve the Voluntary Early Retirement Incentive Program as presented. Councilmember Bohall seconded the motion. Motion was approved unanimously.

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

None

ADJOURNMENT at 7:51 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk