

**Minutes of a Special Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, April 28, 2009**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, April 28, 2009, at 3:00 PM. in the Clark Memorial Clubhouse, Men’s Lounge, 19 N. Ninth, Clarkdale, Arizona.

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
Police Chief Pat Haynie
Deputy Town Clerk Walt Good

Town Clerk/Finance Director Kathy Bainbridge
Community Development Director Sherry Bailey
Utility Director Wayne Debrosky
Assistant Town Manager Janet Perry

CALL TO ORDER at 3:00 PM

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.

No public comment.

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) Reports** - Approval of written Reports from Town Departments and Other Agencies
 - Building Permit Report – March 2009
 - Capital Improvements Report - March 2009
 - Magistrate Court Report – March 2009
 - Police Department Report – March 2009
 - Water and Wastewater Report – March 2009
 - Clarkdale Fire District Report and Mutual Aid Responses Report – March 2009
 - Cottonwood Area Transit (CAT) Operations Report – February 2009, March 2009
 - Verde Valley Humane Society – March 2009

- B) Proclaiming May 2009 as Motorcycle Safety and Awareness Month** – approval of a proclamation declaring the month of May as Motorcycle Safety and Awareness Month.

C) Resolution Adopting Salary Range Placement Table – Approval of a resolution adopting a change to the Salary Range Placement Table for the Town of Clarkdale.

Resolution 1296

D) Ballot Drop Box Services Agreement with the Yavapai County Recorder/Voter Registration Department – Approval of an Agreement with the Yavapai County Recorder/Voter Registration Department for an outside “Ballot Drop Box” for collection of election ballots.

E) Equipment Lease Agreement – Approval of entering into an intergovernmental agreement with Clarkdale Fire District for the leasing of a water tender (truck).

Councilmember Williams asked item D be removed for discussion.

Vice Mayor Wiley moved to accept consent agenda items A, B, C, and E as prepared by staff. Motion seconded by Councilmember Bohall. Motion approved unanimously.

Councilmember Williams asked why this box was needed as we have always had a box in the Clerk’s office during elections. Town Clerk/Finance Director Bainbridge replied that this was just another consideration for voters. Town Manager Mabery said that this would allow voters to drop off ballots any time of day any day of the week from the convenience of their vehicle.

Councilmember Dehnert asked if this could be used for all elections. Town Clerk/Finance Director Bainbridge replied that it was for all elections.

Councilmember Dehnert moved to approve consent agenda item D. Seconded by Vice Mayor Wiley. Motion approved unanimously.

NEW BUSINESS

CONDITIONAL USE PERMIT - CUP 090101 – Discussion and consideration for approval of a request for a Conditional Use Permit to allow for an outdoor swap meet and farmers market within the currently zoned Central Business District (CB) at the northeast corner of Main Street and Eleventh Street, the property is otherwise identified as Yavapai County Assessor’s Parcel # 400-03-190.

Community Development Director Bailey presented Council information on the proposed conditional use permit allowing Glen Arm an outdoor swap meet and farmers market at the northeast corner of Main St. and Eleventh St. Community Development Director Bailey read the Planning Commission stipulations into the record:

The Planning Commission Stipulations:

1. Hours of operation shall be:
Swapmeet/Flea Market: Saturday or Sunday (day to be determined by applicant and stay with that chosen day), 6:30 a.m. set up to 4:00 p.m. with clean up to follow.

Farmers Market: shall be one evening per week, Tuesday or Wednesday (day to be determined by applicant and stay with that chosen day), 3:30 p.m. set up with a closing time to be determined-30 minutes prior to sunset as defined by NOAA.

Art & Book Fair: Once a month, to be determined by the applicant and times to mirror the Farmers Market.

2. The applicant shall address the dirt area around the south and west sides of the parcel that will be used for vendors so that dust control will be observed. Placement of crushed rock is encouraged.
3. The applicant will be responsible for identifying on-site parking areas for vendors and customers. It will be the responsibility of the on-site manager of the event to patrol all parking areas within their properties.
4. The applicant will comply with the request by the Clarkdale Fire District:
 - Access to the fire hydrant to remain clear at all times.
 - Alleyway to remain unblocked at all times.
 - Parking areas must allow room for fire apparatus to safely enter and exit at all times.
5. All areas must be completely cleaned after each event, no items to remain on site after any event including signs.
6. The applicant shall provide trash receptacles on their site for each event, collect and dispose of all trash. The use of town trash receptacles on the sidewalk shall not be utilized to dispose of the trash collected during or after any event hosted by the applicant.
7. The applicant shall use temporary signage on days of the events to indicate that restroom facilities are available at the Su Casa restaurant. These signs shall be taken down after each event.
8. The applicant will use temporary sandwich board signs to advertise the events on their property but not in the public right of way. Temporary banners could be used on the property.
9. No P.A. or amplified music shall be permitted during any of the events. No acoustic music permitted before 10:00 AM.

Mayor Von Gausig said that in item 2 that the dust abatement should be required not encouraged. Mayor Von Gausig asked the applicant and Community Development Director Bailey what type of material they would be using. Applicant replied that landscape rock was the medium they planned to use. Mayor Von Gausig asked if there was any problem with that changed stipulation. None was noted.

Mayor Von Gausig asked Police Chief Haynie if in the past there had been any problems for the Town with the previous swap meet at that location. Chief Haynie replied he knew of none.

Community Development Director Bailey noted that if the CUP was approved that the applicant would have to complete a swap meet business license application that would have to also be approved by the Police Chief.

Councilmember Dehnert asked what provisions were being made for collection of privilege transaction sales tax. Community Development Director Bailey replied that collection of sales tax is the responsibility of the State Department of Revenue not the Town.

Councilmember Dehnert asked if the fees collected for spaces would be subject to the privileged transaction sales tax. Applicant responded that they will collect and pay whatever required taxes.

Mayor Von Gausig stated that stipulation 8 should reflect more clearly that signage should not be on Town right of way but on applicants property.

Councilmember Williams asked how long the CUP was good for and if it needed to be reviewed again in the future. Community Development Director Bailey replied that a CUP is for this applicant and if the property was sold it would have to have a new license with the Town.

Councilmember Williams said that there had been discussion to have an Inn at this location is that plan not going forward? Applicant replied that one of the partners in that project had passed and there was no plan to build the Inn at this time.

Councilmember Williams moved to approve the CUP to allow for an outdoor swap meet and farmers market within the currently zoned Central Business District (CB) at the northeast corner of Main Street and Eleventh Street with the following stipulations.

1. Hours of operation shall be:
Swapmeet/Flea Market: Saturday or Sunday (day to be determined by applicant and stay with that chosen day), 6:30 a.m. set up to 4:00 p.m. with clean up to follow.
Farmers Market: shall be one evening per week, Tuesday or Wednesday (day to be determined by applicant and stay with that chosen day), 3:30 p.m. set up with a closing time to be determined-30 minutes prior to sunset as defined by National Oceanic and Atmospheric Administration.
Art & Book Fair: Once a month, to be determined by the applicant and times to mirror the Farmers Market.
2. The applicant shall address the dirt area around the south and west sides of the parcel that will be used for vendors so that dust control will be observed. Placement of landscape rock is required.

3. The applicant will be responsible for identifying on-site parking areas for vendors and customers. It will be the responsibility of the on-site manager of the event to patrol all parking areas within their properties.
4. The applicant will comply with the request by the Clarkdale Fire District:
 - Access to the fire hydrant to remain clear at all times.
 - Alleyway to remain unblocked at all times.
 - Parking areas must allow room for fire apparatus to safely enter and exit at all times.
5. All areas must be completely cleaned after each event, no items to remain on site after any event including signs.
6. The applicant shall provide trash receptacles on their site for each event, collect and dispose of all trash. The use of town trash receptacles on the sidewalk shall not be allowed to dispose of the trash collected during or after any event hosted by the applicant.
7. The applicant shall use temporary signage on premises on days of the events to indicate that restroom facilities are available at the Su Casa restaurant. These signs shall be taken down after each event.
8. The applicant will use temporary sandwich board signs on their property to advertise the events but not in the public right of way. Temporary banners could be used on the property.
9. No P.A. or amplified music shall be permitted during any of the events. No acoustic music permitted before 10:00 AM.

Councilmember Bohall seconded the motion. Motion approved unanimously.

TRIAL BUDGET UPDATE– An update to the Council regarding the Clarkdale Trial Budget for FY 2009-2010 process.

Town Clerk/Finance Director Bainbridge provided the Council an update on the Trial Budget Workshops that were held April 6, 16, 22 and 27. The procedures and dates of budget meetings were discussed. Town Manager Mabery said that last year the State was late in finishing the budget and it caused problems with the Towns budget. The State budget can conflict with the Towns budget so the Town may utilize the later dates in the time line.

Councilmember Bohall said that the Town can always reduce the amounts on the preliminary budget but cannot raise them. Town Manager Mabery agreed.

The next budget meeting will be a recap of the projected constraints or additional income that the Town may be receiving and to gather Council direction on how to proceed with the preliminary budget.

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

**Transaction Sales Tax for Casual Sales
Fees for Peddlers License
Workshop suggestions**

ADJOURNMENT 3:43 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk