

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

A Special Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, July 28, 2009, at 3:00 PM at Administration Building Community Room, 39 North Ninth Street, Clarkdale, Arizona.

CALL TO ORDER 3:00 PM

Town Council:

Mayor Doug Von Gausig
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

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

Town Clerk/Finance Director Kathy Bainbridge
Community Development Director Sherry Bailey
Deputy Town Clerk Walt Good

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.

Drake Meinke, Clarkdale, updated the Council on the Arizona Centennial Legacy and stated he would assist anyone on a grant application.

Ellie Bauer, Clarkdale, informed Council about the Gala Opening of the e-GO Gallery on Friday, July 31, 2009.

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 – June 2009
 - Capital Improvements Report – June 2009
 - Magistrate Court Report – June 2009
 - Police Department Report – June 2009
 - Water and Wastewater Report – June 2009
 - Clarkdale Fire District Report and Mutual Aid Responses Report – June 2009
 - Cottonwood Area Transit (CAT) Operations Report – May 2009
 - Verde Valley Humane Society – June 2009

- B.** Resolution To Authorize The Town Clerk To Conduct Elections In 2010 As All “Mail Ballot” Elections Pursuant To A.R.S. 16-409 (B). – Approval of a resolution authorizing the Town Clerk to conduct elections in 2010 as all “Mail Ballot” elections.
Resolution # 1302
- C.** A Resolution Supporting The Application For The Department Of Agriculture Rural Utility Services Broadband Initiatives Program And The Department Of Commerce National Telecommunications And Information Administration Broadband Technology Opportunities Program Grant – Approval of the Resolution Of The Town Of Clarkdale, Arizona, Supporting The Application For The Department Of Agriculture Rural Utility Services Broadband Initiatives Program And The Department Of Commerce National Telecommunications And Information Administration Broadband Technology Opportunities Program Grant For Federal Funds For The Broadband Infrastructure Construction And Program Development For The Verde Valley Broadband Cooperative Project.
Resolution # 1303
- D.** Waiver of Conflict of Interest– Approval of Waiver of Conflict of Interest for the firm Boyle, Pecharich, Cline, Whittington & Stallings, related to their representation of Verde Exploration and the Town of Clarkdale, in regard to the possible acquisition of the Clark Mansion by Verde Exploration and any related necessary amendments to the Restated Development Agreement, rezonings, or other legal matters arising due to Freeport McMoran’s desire to convey the Clark Mansion and surrounding property to Verde Exploration.

Vice Mayor Wiley moved to accept the Consent Agenda as prepared by staff.
Councilmember Bohall seconded the motion. Motion approved unanimously.

NEW BUSINESS

ARCHIVE IMAGE ACCESS POLICY – Discussion and consideration of the Heritage Conservancy Board recommendation on an Archive Image Access Policy for the Town of Clarkdale.

Library Manager Charlotte Hawken read the staff report background to the Council. Mayor Von Gausig stopped Library Manager Charlotte Hawken when she got to the sentence; “This policy pertains only to photographs taken prior to the Town’s incorporation.” Mayor Von Gausig wanted to know if there were photos in the archive after 1957 and if the Town had copyrights on them? Also what is the difference in before incorporation and what is after incorporation? Assistant Town Manager Perry replied that Town Clerk/Finance Director Kathy Bainbridge had an input on why we differentiate between the two what is archival and what is public record.

Kathy Bainbridge stated that items before incorporation are archival items that do not fall under the same laws as items that are public records. Anything after incorporation that has to do with the Town of Clarkdale business is considered a public record and State of Arizona statutes define how they will be handled.

The Mayor asked if there are photos in the archives that were taken after 1957 and are these

archival or public record. Kathy Bainbridge did not know if there were photos after 1957 but if there was and they were part of the Town of Clarkdale business they are a public record.

Mayor Von Gausig asked about the comment on page 2 under the heading “How to Order Archive Photographs”, where it states “full size photographic prints, digital prints”, what is a digital print? Is the Town only going to provide photos or are we only going to supply digital copies? Charlotte Hawken replied, when somebody asks for a photo we give them a copy of the photo from the copy machine we do not make a print from a negative.

Mayor Von Gausig asked about Section 8 Credit Line. How is the fine incurred, how is it enforced and who manages the money? Councilmember Bohall stated he thinks that some of these items need to be revisited like who collects the money, where does it go and who is responsible.

Councilmember Williams on page 2 how to order photos for personal use, thinks the price is excessive. There is nothing in here about other museums wanting photos. Councilmember Williams would like to see something in regard to other museums pricing.

Mayor Von Gausig asked Library Manager Charlotte Hawken if it was her understanding that if Clemenceau requested something for their use or a display they would be charged these rates. Library Manager Charlotte Hawken said that per this policy it would. Mayor Von Gausig said that what he and Councilmember Williams would like to see other museums have a separate rate.

Councilmember Williams stated that the Clarkdale Heritage Museum would have to pay the Town to put things on display. Mayor Von Gausig stated the he did not believe that is what the Town or the Museum had in mind. Councilmember Bohall stated he thought this item needs to be returned to staff.

Mayor Von Gausig said that the prices are reasonable to someone in the industry but staff should revisit the policy in regards to the clarification on photo, digital, and copies. Also the policy on non-profit sales and remove the “(3)” on page 6 under the “Nonprofit Entities, 501 (C) (3)” as some non-profits could have a different designation.

PUBLIC HEARING REGARDING THE FISCAL YEAR 2009-2010 PRIMARY TAX LEVY AND FINAL BUDGET – A hearing to receive public input regarding the Town of Clarkdale’s proposed primary tax levy, property tax collection and final budget for fiscal year 2009-2010.

Mayor Von Gausig opened the meeting for public comment on the FY 2009-2010 Primary Tax Levy and the FY 2009-2010 Final Budget.

Billy Roland, Clarkdale, read statement to Council on the point that the Town should function with what the Town has and not increase taxes.

“I can’t believe the audacity of our Mayor and City Councilmen to even think about increasing our taxes at a time like this. The entire country is in the midst of a severe economic recession or you might even call it a depression as it is still going down and down and will continue to do so

for some time yet. We are all having difficult times financially as the price of almost everything is going up, almost daily, and who knows where it will stop. Many of us living in this area are on fixed incomes, as retired people, and as a result of the recession will not receive any increases in our retirement pay for as long as this recession continues and yet you propose to decrease our spendable income by increasing the taxes on our homes, which we have planned well in advance for so as to have our expenses well in hand by this time in our lives. The cities as all of the residents are having a tough time of it right now, so we just bite the bullet and live within the means and incomes we have and try to ride out these hard times. The city should do the same thing. Live within what you have in your pocket at this time just maintain not increase. I wouldn't go over to my neighbor's house and demand some of his money just because I am running short for the month. The city should not come over to my house and demand some of my money just because they are running short for this period. You should live within your income until this recession is over just the same as I should live on what I have in my pocket until my situation gets better. If I ask my neighbor for some of his money, he can say "no" but if you initiate this tax increase, I cannot say "no". Everybody wants a little more of what I have and soon my pocket is empty. More taxes at this time is drastically wrong. I say "No" to you now, before it is a done deal. No, this is wrong."

Ellie Bauer, Clarkdale, what will the Town do in two years when we have the next crisis if we are already at the maximum tax levy amount? Ms. Bauer also would like to know where the concerns voiced at the budget meetings are addressed in the budget.

Phyllis Douglas, Clarkdale, she bought her home two years ago and tried to get relief from the value she has lost, the county was unable to help. Ms. Douglas voiced her concern over the tax levy increase. Ms. Douglas has had to make adjustments in her life to get through these financial times and thinks that an increase at this time is out of line.

Mayor Von Gausig closed the public hearing.

RESOLUTION FOR THE ADOPTION OF THE FINAL BUDGET FOR FISCAL YEAR 2009-2010— Discussion and consideration of a resolution adopting the FY2009-2010 Budget per A.R.S. § 42-17105 (B) to consider, finally determine and adopt estimates of the proposed expenditures for the purposes stated in the published budget of the Town.

Resolution # 1304

Kathy Bainbridge, Finance Director/Town Clerk, presented Council the FY 2009-2010 Final Budget for adoption.

Vice Mayor Wiley moved to adopt the FY 2009-2010 Final Budget. Councilmember Bohall seconded the motion.

Role Call Vote

Councilmember Dehnert Aye

Councilmember Williams Aye
Councilmember Bohall Aye
Vice Mayor Wiley Aye
Mayor Von Gausig Aye
Motion approved unanimously.

RESOLUTION REGARDING THE FISCAL YEAR 2009-2010 PRIMARY TAX LEVY –

Discussion and consideration of a resolution acknowledging that, as a result of the proposed primary tax levy, property tax collections in the Town of Clarkdale will increase in the 2009-2010 fiscal year.

Resolution # 1302

Kathy Bainbridge, Finance Director/Town Clerk, presented Council the proposed FY 2009-2010 Primary Tax Levy. Kathy Bainbridge stated that the Truth in Taxation had been published in the paper as required. The ordinance setting the amount will be coming to Council in August.

Vice Mayor Wiley moved to approve the proposed primary tax levy, property tax collections in the Town of Clarkdale will increase in the 2009-2010 fiscal year. Councilmember Bohall seconded the motion.

Discussion – Vice Mayor Wiley said that the Town of Clarkdale is only 9% of the property tax levy and that 91% is out of the Town’s control.

Role Call Vote

Councilmember Dehnert Aye
Vice Mayor Wiley Aye
Councilmember Bohall Aye
Councilmember Williams Aye
Mayor Von Gausig Aye
Motion approved unanimously.

ADJOURNMENT 3:48 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk