

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale
Held on Tuesday, September 22, 2009.**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, September 22, 2009, at 3:00 PM at Clark Memorial Clubhouse, Men's Lounge, 19 North Ninth Street, Clarkdale, Arizona.

CALL TO ORDER 3:03 PMTown Council:

Mayor Doug Von Gausig
Vice Mayor Jerry Wiley

Councilmember Patricia Williams
Councilmember Curtiss Bohall
Councilmember Richard Dehnert

Town Staff:

Town Manager Gayle Mabery
Assistant Town Manager Janet Perry
Public Works Director Steve Burroughs
Police Chief Pat Haynie
Community Services Supervisor Dawn Norman

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

Clarkdale Fire District Chief Joe Moore

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, wrote two memo's to the Town on the Clarkdale Centennial, one was to pick a date for the events, so that grant opportunities could be examined. Also Mr. Meinke wrote another memo on a request to the Governor to designate Clarkdale a Centennial Town or The Centennial Town, which should be done by proclamation or resolution. Mr. Meinke would also like to support the waiver of fees for the Heritage Museum, an item on tonight's agenda.

Jerry Wiley, Clarkdale, While Vice Mayor Wiley was walking a Clarkdale resident spoke with him and commended the Town Crew on their expedient clean-up of the streets after the last big storm.

INFORMATIONAL REPORTS

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

1. Mayor reported that he enjoyed his vacation.
2. Mayor Von Gausig met with the League of Arizona Cities and Towns resolution subcommittee.
3. Mayor met with Al Crawford, Green World Energy Corporation to get an idea on where Clarkdale was on sustainable energy projects.
4. Mayor met with Town Manager Mabery and Community Development Director Bailey to discuss the sustainability project.
5. Mayor Von Gausig met with Town Manager Mabery, Angie Harman, Joe Bruner and Don

Stillwell of Freeport-McMoRan about the possibility of using some of their land for the energy sustainability park.

6. Mayor Von Gausig met with Peggy Blair, teacher at the Heritage Academy, her class is on statesmanship and wanted to talk about opportunities to serve or do community projects.
7. Mayor Von Gausig attended the Verde Valley Intergovernmental meeting and had discussions on legislative issues.
8. Mayor Von Gausig and Town Manager Mabery met with Joanne Keene and Page Gonzales of the Governor's office.
9. Mayor Von Gausig attended the League of Arizona Cities and Towns Annual Conference.

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

1. Town Manager Mabery thanked the Vice Mayor for the comments that he passed on about the Town crew.
2. Town Manager Mabery reminded Council that September 30th is the last day of the Stage One water regulations.
3. October 3, 2009 is the first Heritage Dance of the season.
4. Town Manager Mabery spoke with Town Clerk Kathy Bainbridge and Community Development Director Sherry Bailey on how the General Plan is progressing and that it appears that the Town will be ready to place the item on the November 2010 ballot. That will give ample time for public involvement and comment.
5. Town Manager Mabery informed Council that this Thursday, September 24, 2009, the State is holding a broadband and library services grant review. The committee is charged with ranking all the projects in the State and sending those recommendations back to the federal review committee. Mayor Von Gausig and Janet Perry will attend that review.

CAT – A report regarding the Cottonwood Area Transit – Councilmember Williams no report.

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District – Councilmember Williams reported that the minutes will be in October's packet.

VVLPI – A report regarding the Verde Valley Land Preservation Institute – Councilmember Williams reported that the minutes from last week's meeting will be in October's packet.

NACOG - A report regarding the Northern Arizona Council of Governments – Vice Mayor Wiley missed the meeting while on vacation, no report.

VVTPO – Report regarding the Verde Valley Transportation Planning Organization & other transportation affiliations – Councilmember Bohall had no meetings to report.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association – Mayor Von Gausig reported that he would like to see this group assimilate into the larger Arizona Municipal Water Users Association.

VRBP – A report regarding the Verde River Basin Partnership - Mayor Von Gausig reported that they had a communication meeting today and are looking for new membership.

WAC - A report regarding the Yavapai County Water Advisory Committee – Vice Mayor Wiley attended for the Mayor, discussed the situation that Chino Valley cannot pay their dues but still want to retain membership in the organization. Discussion was held on the water budget.

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 8/11/09 and the Special Meeting held 8/14/09, 8/25/09.
- B. **Claims** - List of specific expenditures made by the Town during the previous month.
PPE 8/1/09, 8/15/09, 8/29/09 & August Check Log
- 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 8/26/09 Meeting Canceled
Design Review Board minutes of the meeting 8/12/09 Meeting Canceled
Heritage Conservancy Board minutes of the meeting held 8/19/09 & 8/31/09
General Plan Update Committee minutes of the meeting held 8/17/09
Library Advisory Board minutes of the meeting held 8/6/09
Parks and Recreation Board minutes of the meeting held 8/12/09
Planning Commission minutes of the meeting held 8/27/09
- D. **Reports** - Approval of written Reports from Town Departments and Other Agencies
Building Permit Report – August 2009
Capital Improvements Report – August 2009
Magistrate Court Report – August 2009
Police Department Report – August 2009
Water and Wastewater Report – August 2009
Clarkdale Fire District Report and Mutual Aid Responses Report – August 2009
Cottonwood Area Transit (CAT) Operations Report – July 2009
Verde Valley Humane Society – July & August 2009
- E. **Resolution Making Appointments to Library Advisory Board**– Approval of a resolution amending Resolution #1277, making appointments to the Library Advisory Board.
- F. **Resolution Making an Appointment to the Public Safety Personnel Retirement Board**– Approval of a resolution amending Resolution #1232, making an appointment to the Public Safety Personnel Retirement Board.
- G. **Intergovernmental Agreement with Yavapai County Library District** – Approval of the 2009–2010 Yavapai County Library District Library Service Agreement with the Town of Clarkdale.
- H. **Yavapai County Flood Control District Intergovernmental Agreement** – Approval of an Intergovernmental Agreement with Yavapai County Flood Control District for local drainage improvements in the amount of \$160,000.00.
- I. **Proclamation Declaring September as National Alcohol and Drug Addiction Recovery Month** – Approval of a proclamation from MATForce declaring the month of September

as National Alcohol and Drug Addiction Recovery Month.

- J. **Resolution Setting a Retiring Police Officer Gun And Badge Policy** – Approval of a Resolution setting a policy allowing a retiring Police Officer to purchase their service weapon pursuant to A.R.S. 38-845(G) and presentation of an out of service badge.

Town Manager Mabery reminded Council that they had been presented an updated Police Report for August 2009.

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

NEW BUSINESS

PRESENTATION BY PARTNERS IN EDUCATION ON COTTONWOOD-OAK CREEK SCHOOL DISTRICT AND MINGUS UNION HIGH SCHOOL DISTRICT BUDGET OVERRIDES

– Mingus Union High School Superintendent, Tim Foist, and a representative of the Partners in Education will make a presentation providing facts about the continuation of the overrides.

Marc Cooper, Principle Mingus Union High School, made a presentation to the Council on the need for the Tax Override issue.

Mayor Von Gausig said he wished the audience was larger to get this message on the importance of the tax override.

Ruth Wicks, Clarkdale, spoke on behalf of the tax override and requested that individuals not only vote in favor of the override for both districts but also would like those present to also consider donating to the political action committee working for the passage of the override at both districts.

REQUEST FOR WAIVER OF TOWN FEES FOR THE FIRST ANNUAL HISTORIC BUILDING TOUR OF CLARKDALE

– Discussion and consideration of a request from the Clarkdale Heritage Center for a waiver of Town Fees for the use of the Men's Lounge for the First Annual Historic Building Tour of Clarkdale scheduled for December 12th and 13th, 2009.

Dawn Norman, Community Service Supervisor, provided Council with an overview of the proposed event. The Heritage Museum is requesting a waiver of fees and the deposit.

Vice Mayor Wiley asked they were charging for the tour, he hoped this would be a fundraiser.

Cindy Emmett, Clarkdale, informed Council that this is a proposed annual fundraiser for the Museum.

Mayor Von Gausig asked Public Works Director Burroughs if he felt this event would be a burden on the Town facility. Mr. Burroughs said that he did not foresee any problems or cost to the Town on wear and tear.

Councilmember Williams moved to approve to waive the fees , including the required damage/cleaning deposit, for use of the Men's Lounge for the First annual Historic Building Tour of Clarkdale. Motion seconded by Vice Mayor Wiley. Motion approved

unanimously.

WAIVER OF DEMOLITION FEES FOR THE ZUNICK BUILDING, PARCEL #400 – 06 – 008J
– Discussion and consideration of a waiver of demolition fees for the Zunick building, Parcel #400-06-008J, located at the corner of Broadway and Main Street which is being used for a Fire District training fire.

Community Development Director Bailey informed the Council that this is a property maintenance issue and that the property owners had requested the building be donated to the Clarkdale Fire District for training and then the property owner would arrange for property clean up after the building has been burned.

Mayor Von Gausig asked Clarkdale Fire District Chief Joe Moore what the plans were for the building. Chief Moore responded that the Fire District has already cleared out the building and will be doing some drills on evacuation. Then in October they will do a control burn of the building.

Vice Mayor Wiley moved to approve waiving the demolition permit fees for the Zunick building at the corner of Broadway and Main Street, Parcel #400-06-008J with the condition that Ms. Zunick must restore the lot by removing all debris, weeds, and building materials left from the training exercise within thirty days of the completion of the event. Councilmember Williams seconded the motion. Motion approved unanimously.

Councilmember Bohall asked if the public could watch the training exercise. Chief Moore replied that the public would be welcome to watch the event as long as they stayed a safe distance away.

RESOLUTION MAKING APPOINTMENTS TO THE PLANNING COMMISSION – Discussion and consideration of a resolution amending Resolution #1279, making appointments to the Planning Commission.

Mayor Von Gausig reviewed the staff report. Jorge Olguin, David Puzas and Bill Regner were recommended by the review committee.

Vice Mayor Wiley moved to approve Resolution #1311, amending Resolution #1279, making appointments to the Planning Commission. Councilmember Dehnert seconded the motion. Motion approved unanimously.

RESOLUTION MAKING APPOINTMENTS TO THE BOARD OF ADJUSTMENT – Discussion and consideration of a resolution amending Resolution #1274, making appointments to the Board of Adjustment.

Mayor Von Gausig reviewed the staff report. Jan Boyd was recommended by the review committee.

Councilmember Bohall moved to approve Resolution #1312 amending Resolution #1274, making appointments to the Board of Adjustments. Vice Mayor Wiley seconded the motion. Motion approved unanimously.

RESOLUTION MAKING APPOINTMENTS TO THE DESIGN REVIEW BOARD– Discussion and consideration of a resolution amending Resolution #1275, making appointments to the Design

Mayor Von Gausig reviewed the staff report. Charles Scully, Marsha Foutz, Robyn Prud'homme Bauer, and Elaine Sakelarios were recommended by the review committee.

Councilmember Williams moved approve Resolution #1313, amending Resolution # 1275, making appointments to the Design Review Board. Vice Mayor Wiley seconded the motion. Motion approved unanimously.

RESOLUTION MAKING APPOINTMENTS TO THE HERITAGE CONSERVANCY BOARD –
Discussion and consideration of a resolution amending Resolution #1276, making appointments to the Heritage Conservancy Board.

Mayor Von Gausig reviewed the staff report. Drake Meinke and Paul Peck were recommended by the review committee.

Councilmember Dehnert moved to approve Resolution #1314, amending Resolution # 1276, making appointments to the Heritage Conservancy Board. Councilmember Bohall seconded the motion. Motion approved unanimously.

RESOLUTION MAKING APPOINTMENTS TO THE PARKS AND RECREATION COMMISSION – Discussion and consideration of a resolution amending Resolution #1301, making appointments to the Parks and Recreation Commission.

Mayor Von Gausig reviewed the staff report. Lynda Zonolli and Jesse Kennen were recommended by the review committee.

Councilmember Williams moved to approve Resolution #1315, amending Resolution # 1301, making appointments to the Parks and Recreation Commission. Vice Mayor Wiley seconded the motion. Motion approved unanimously.

REPORT REGARDING THE 2009 LEAGUE OF ARIZONA CITIES AND TOWNS ANNUAL CONFERENCE – Discussion regarding information gathered at the 2009 League of Arizona annual conference.

Councilmember Dehnert reported to Council on the events that he had attended at the League Conference. Councilmember Dehnert felt that this was a very educational conference, not only were the break out sessions helpful but the networking was invaluable. This was a terrific opportunity to learn from the experts and from counterparts, discussing how we all are handling the civic issues that affect us. Councilmember Dehnert attended the legislative update and the look ahead. The ideology of the panel was identifiable, "smaller government, lower taxes and others believe that the policy is to starve the beast." Councilmember Dehnert attended the revenue update which pointed out the fallacy of saving money by cutting state government. The Department of Revenue now has only 1 auditor for every 25,000 residents in the state making it difficult to find what is not being paid. He also attended the session from the State Treasurer on what his future projections were for the State. His projection for the future is to bottom out in the fourth quarter of this year and that it will take five years to return to the levels of income in 2007.

Town Manager Mabery reported to Council on the events that she attended. Some of the sessions

were very valuable this year and brought new ideas and the opportunities to discuss ideas with others and made some connections. Municipal finance session that dealt with the stimulus funds provided information that was beneficial for us in the future. The Managers session on "How to help your Council Achieve Their Goals" was informative. Governor Brewer did make an appearance at the conference even after saying she would not be able to attend because of the State Budget talks. Sustainable Cities Act session was very good and Town Manager Mabery made contacts with several individuals. A lot of those connections had already been made by Community Development Director Bailey.

Mayor Von Gausig reported that he felt this was the most productive conference he had attended. The session on ADOT's growth projections show a tripling by 2050. They project about 16,000,000 population by 2050. Discussions were about new and alternative transportation and the cultural changes to make mass transportation more acceptable. Sustainable methods of moving people was discussed, including more railroad lines as an ADOT focus for solution. Also held was a discussion on the possibility of private companies collecting the sales tax in the area. The private companies would do auditing and collection and the Town would receive the funds in a week instead of a month or more from the Department of Revenue. The final speaker was very informative and the Mayor has made copies of his presentation available to staff and councilmembers. Bob Treadway is a futurist who projected how we need to vision the future. The three R's are reboot, reset and rethink. Economic, cultural and environmental sensitivity are the points of concern.

FY 2010 ARIZONA STATE BUDGET - - Discussion regarding recent actions by the legislature and Governor relating to the FY 2010 budget.

Town Manager Mabery informed Council that State Budget has been partly decided and that the legislature will revisit the budget when they reconvene in a new session in January 2010. This year's budget is not wrapped up because the budget does not balance. The Vehicle License Tax issue was vetoed so the Town still receives the total amounts that we are supposed to receive. Governor was willing to work with the legislature and allow the State to keep some of the Vehicle License Tax in her negotiations. Town Manager Mabery anticipates that the Town will lose some of these funds in the future.

Mayor Von Gausig stated that the League of Arizona Cities and Towns (League) had informed the legislature that this was an item that the League would litigate if passed.

Town Manager Mabery talked about the League pamphlet supplied to Council in their packet recapping the legislative issues for the year pertaining to the budget. The development fee moratorium did pass and no new impact fees can be imposed until 2011. The construction sales tax levels are also frozen until 2011, this does not affect the increase the Town did this year as it was enacted by Council before the moratorium date of June 29, 2009.

Town Manager Mabery stated that the Town is still monitoring our own budget and September 30, 2009, will be the end of our first quarter. Staff will be bringing a first quarter update to Council. Sales tax revenues are coming in lower than projected.

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

None

ADJOURNMENT at 4:30 PM

APPROVED:

Doug Von Gausig, Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk

**Minutes of a Special Meeting of the Common Council of the Town of Clarkdale
Held on Thursday, September 17, 2009.**

A Special Meeting of the Common Council of the Town of Clarkdale was held on Thursday, September 17, 2009, at 10:00 AM at Administration Building Community Room, 39 North Ninth Street, Clarkdale, Arizona.

CALL TO ORDER

Vice Mayor Wiley called the Clarkdale Town Council to order at 10:04 AM.

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
Deputy Town Clerk Walt Good

Town Clerk/Finance Director Kathy Bainbridge
Town Attorney Rob Pecharich

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

NEW BUSINESS

EXECUTIVE SESSION - The Council may vote to discuss the following matters in executive session pursuant to A.R.S. § 38-431.03(A) (3) discussion or consultation for legal advice with the attorney of the public body; and (4) discussion or consultation with the attorneys of the public body in order to consider its position and instruct its attorneys regarding the public body’s position regarding contracts that are the subject of negotiations. The Executive Session will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining item on the agenda.

A) INTERGOVERNMENTAL AGREEMENT RELATING TO PRESERVATION OF FOREST LANDS WITH THE CITY OF COTTONWOOD, AND STATUS OF THE ANNEXATION OF COCONINO NATIONAL FOREST LANDS.

Without opposition, the Council recessed to Executive Session at 10:08 AM.

Council reconvened at 10:42 AM

INTERGOVERNMENTAL AGREEMENT RELATING TO PRESERVATION OF FOREST LANDS – Consideration of rescinding the Intergovernmental Agreement with the City of Cottonwood relating to Preservation of Forest Land.

Town Manager Mabery reviewed the history of the annexation with Council and the reason for consideration of rescinding the Intergovernmental Agreement with the City of Cottonwood relating to Preservation of Forest Land that had been approved by the Town of Clarkdale Council on August 25, 2009. The agreement was sent to Cottonwood but City of Cottonwood Council decided to proceed with the annexation. The Town has been informed that Qwest is not an owner of property in the proposed annexation area and will not sign the annexation proposal for the City of Cottonwood. The Town of Clarkdale feels that the approved IGA is moot. Staff proposes that the previously approved Intergovernmental Agreement with the City of Cottonwood relating to Preservation of Forest Land be rescinded.

Vice Mayor Wiley called for a motion to rescind and withdraw the Intergovernmental Agreement with the City of Cottonwood relating to Preservation of Forest Land.

Vice Mayor Wiley read into the minutes a letter Mayor Von Gausig pertaining to the IGA. Copy of the letter is included.

Councilmember Williams motion to rescind the Intergovernmental Agreement for Forest Preservation with the City of Cottonwood, withdrawing the previous approval given on August 25, 2009. Councilmember Bohall seconded the motion. Motion approved unanimously.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda
None

ADJOURNMENT
Adjourned 10:54 AM

APPROVED:

Jerry Wiley, Vice Mayor

ATTESTED:

Kathy Bainbridge, Town Clerk

SUBMITTED:

Walt Good, Deputy Town Clerk