

**Minutes of a Regular Meeting of the Common Council of the Town of Clarkdale  
Held on Tuesday, July 13, 2010.**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, July 13, 2010, at 6:00 PM at Community Room of the Clarkdale Administration Building, 39 North Ninth Street, Clarkdale, Arizona.

CALL TO ORDER - Meeting called to order at 6:00 PM by Mayor Von Gausig at Community Room of the Clarkdale Administration Building whereby upon general consent, the meeting was adjourned to the Men's Lounge in the Clark Memorial Clubhouse due to the number of people expected in the audience.

The meeting was reconvened to the Men's Lounge in the Clark Memorial Clubhouse

Town Council:

Mayor Doug Von Gausig

Councilmember Patricia Williams

Vice Mayor Richard Dehnert

Councilmember Curtiss Bohall

Councilmember Bill Regner

Town Staff:

Town Manager Gayle Mabery

Community Development Director Sherry Bailey

Town Clerk/Finance Director Kathy Bainbridge

Utility Director Wayne Debrosky

Human Resources/Community Services Director Janet Perry

Public Works Director Burroughs

**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.

**Ellie Bauer, Clarkdale** – read a letter from Drake Meinke and herself to Freeport McMoRan Copper and Gold urging them to consider undertaking the Clubhouse complex as its Arizona Centennial Legacy Project.

**INFORMATIONAL REPORTS**

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

1. Attended the staff snack and chat and informed staff that Council was looking after their interests and that Council was doing everything they possibly could to assure their jobs were safe and secure.
2. Conference call with Jeff Murray, Southwest Risk Pool Attorney, who was representing the Town in the Mingus Shadows lawsuit.
3. Had lunch with Ron Epperson, Director/President of the Verde Valley Regional Economic Organization Renewable Energy Committee regarding the future of that committee

and the mission for them to take on in the future and areas of coordination with other organizations.

4. Met with some Highlands representatives regarding wastewater issues.
5. Attended an ADEQ meeting with Utilities Director Debrosky regarding ADEQ's limitations on our disposal and effluent fields. There was confusion with ADEQ regarding current vegetation, but they confirmed that we still had 250,000 gallons of disposal capacity.
6. Met with Sonya Malkasium and Mike Lubbin regarding their sustainability program in Flagstaff and then held a Clarkdale Sustainability Park presentation with 30 people attending.
7. Attended the Verde Valley Regional Organization Renewable Energy Committee meeting at Yavapai College.
8. Attended Clarkdale's Old Fashion July 4<sup>th</sup> celebration at which all involved did a great job.
9. Met with Bill Regner and Yavapai College representatives.
10. Attended Nature Conservancy Economic Value of the Verde River Advisory Group meeting regarding the impacts to the river/impacts to economy study.
11. Met with the Bureau of Reclamation Technical Working Group Committee for the Central Yavapai Highlands Water Resource Management Study – looking at springs, tributaries, ground water, lakes etc for entire Verde River basin for a report to be published in next few weeks.
12. Clarkdale Sustainability Park presentation for the City of Cottonwood Council and staff.
13. Met with Shannon Citari of the Department of Transportation to brief her on the Sustainability Park regarding transportation issues/opportunities. She will be the contact with ADOT.

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

1. The Town was awarded an energy grant through a federal stimulus program from the Department of Energy for geo thermal heating/cooling project for the clubhouse buildings, except for the auditorium. The project should be completed by September and is Clarkdale's first stimulus fund grant.
2. Chief Haynie was released July 3<sup>rd</sup> from hospital and continuing recovery at home and appreciates the community support.
3. Echoed the Mayor's sentiment regarding the July 4<sup>th</sup> celebration which was the second year the event was run with all volunteers.
4. Projects in Library. The Library was closed for week for a county wide computer software update. Received grant funds through the State Department of Library and Archives for

a remodeling project to be completed in conjunction with Yavapai Apache Nation funding. The project will start after school starts when the Library will be closed 3-4 weeks for painting, carpeting, remodeling, doors, etc.

5. ADOT Enhancement Projects on 89A will include a 10 foot sidewalk on both sides of Highway 89A from Cement Plant Road to Black Hills Drive, which includes a bike lane.
6. August 3<sup>rd</sup> is National Night Out with Police Department and Fire District. The new grill was funded through RICO funds which are monies collected through drug crimes and distributed to local law enforcement jurisdictions for special projects.
7. The Special Council meeting scheduled for August 24<sup>th</sup> will be moved to August 31<sup>st</sup> due to the Council attendance at the League conference.

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

COCOPAI – A report regarding the Coconino Yavapai Resource Conservation District – Councilmember Williams had no report, but received word that the coordinator was retiring and that the federal government had deleted funding for the group.

VVLPI – A report regarding the Verde Valley Land Preservation Institute. – Councilmember Williams reported they received a Walton Family \$250,000 grant with Friends of the Greenway to work on open space issues.

NACOG - A report regarding the Northern Arizona Council of Governments – Vice Mayor Dehnert reported that they met June 24<sup>th</sup> and held an organizational meeting.

VVTPO – Report regarding the Verde Valley Transportation Planning Organization & other transportation affiliations. Councilmember Bohall reported no meeting.

NAMWUA - A report regarding the Northern Arizona Municipal Water Users Association – Mayor Von Gausig reported no meeting.

VRBP – A report regarding the Verde River Basin Partnership coordination meeting – Mayor Von Gausig reported that he would be developing a website for them.

WAC - A report regarding the Yavapai County Water Advisory Committee - Mayor Von Gausig reported no meeting.

VVREO – A report regarding the Verde Valley Regional Economic Organization – No meeting

YCL – A report regarding the Yavapai College Liaison – Councilmember Regner reported that he was also on the Yavapai College Foundation for the Verde Valley Chapter where he made contact with Marsha Jacobson, a grant writer for the Yavapai College Foundation. The Sustainability Park was discussed with various Yavapai College representatives regarding 1) Mission and goals between Yavapai College and the Sustainability Park; 2) Yavapai College capacity, desire, and commitment to create compatible programs with the Sustainability Park; 3) Act as coordinator for educational partners; 4) Grant writing opportunities; 5) A Memorandum of Understanding is appropriate between the Town and College for the Sustainability Park.

**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 June 8, 2010 and Special Meetings held June 15, 2010 and June 22, 2010.
- B. Claims** - List of specific expenditures made by the Town during the previous month. June check log and PPE 6/05/10 and 6/19/10
- 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 cancelled agenda for June 23, 2010  
Design Review Board minutes of the meeting held June 9, 2010  
General Plan Update Committee cancelled agenda for June 15, 2010  
Library Advisory Board minutes of the meeting held June 3, 2010  
Parks and Recreation Board minutes of the meeting held June 16, 2010  
Heritage Conservancy Board minutes of the meeting held May 19, 2010  
Planning Commission minutes of the meeting held June 15, 2010
- D. Proclamation Proclaiming the Month of August 2010 as Drowning Impact Awareness Month**– Approval of a Proclamation declaring the month of August 2010 as Drowning Impact Awareness Month.
- E. Intergovernmental Agreement for Police Dispatch Services** – Approval of the 2010-2011 Intergovernmental Agreement between the City of Cottonwood and the Town of Clarkdale for Police Dispatch Services.
- F. Awarding of the Contract for the Installation of the Geo-Thermal HVA/C System and Approval of the Town of Clarkdale, 2010 Building Retrofit Project Agreement** – Awarding of a contract with Verde Sol-Air Services, Camp Verde, Arizona and approval of the 2010 Building Retrofit Project Agreement for the installation of the Geo-Thermal HVA/C system.

Councilmember Bohall pulled Item A.

Vice Mayor Dehnert pulled Item F.

Councilmember Williams moved to accept the Consent Agenda Items B, C, D, and E as prepared by staff. Motion seconded by Councilmember Bohall. Motion approved unanimously.

**A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held June 8, 2010 and Special Meetings held June 15, 2010 and June 22, 2010.

Councilmember Bohall moved to accept the Consent Agenda Item “A” as prepared with the correction to the June 22, 2010 minutes to reflect that Councilmember Bohall was appointed as the CAT representative and Councilmember Williams was appointed as the alternate. Motion seconded by Councilmember Regner. Motion approved unanimously.

**F. Awarding of the Contract for the Installation of the Geo-Thermal HVA/C System and Approval of the Town of Clarkdale, 2010 Building Retrofit Project Agreement –** Awarding of a contract with Verde Sol-Air Services, Camp Verde, Arizona and approval of the 2010 Building Retrofit Project Agreement for the installation of the Geo-Thermal HVA/C system.

Public Works Director Burroughs explained the Council authorized the submittal of a grant application to the Arizona Department of Commerce Energy Office (Commerce) for \$65,961.00 of an Arizona Balance of State Energy Efficiency and Conservation Block Grant (ABS-EECBG). The funds were to be used for implementing projects focused on increasing energy efficiency, reducing energy use, and reducing fossil fuel emissions. On March 16, 2010, the Arizona Department of Commerce Energy Office awarded the grant ABS-EECBG application.

This grant will be for the installation of geo-thermal heating and cooling in the men's lounge, reading room, and ladies lounge. Along with awarded EECBG funds, an APS rebate (incentives) was awarded to the Town and will be incorporated into the projects overall cost.

This grant will be for the installation of geo-thermal heating and cooling in the men's lounge, reading room, and ladies lounge. Along with awarded EECBG funds, an APS rebate (incentives) was awarded to the Town and will be incorporated into the projects overall cost.

From May 20, 2010 to June 17, 2010, a bid selection process to contract for an installer was advertised and followed, with Verde Sol-Air, the sole applicant submitting a bid return packet. After review of the submitted bid requirements, Verde Sol-Air's bid packet was found to be complete. They have provided their Geo-thermal installer certifications along with the required bonds, (Payment and Performance). In addition, Verde Sol-Air has worked with Federally Funded projects, and are aware of the reporting, documentation, and pay requirements. Only had one bid submitted even though the design-bid-build project ran twice. 14 individuals statewide requested bid packets, but the job was too small for some companies and required certification, IGSHPA accreditation, Davis Bacon wages, and made in USA requirements.

The historic integrity of the building will be enhanced. All evaporative coolers will be taken out, old furnaces removed, duct work will be hidden, supply registers and returns will be changed to a more appropriate era design, and everything will be below ground and out of sight. The project is scheduled to take approximately 3.5 weeks for completion and run 40 – 60% more efficiently. The energy savings in winters should be 30 – 35% savings, if the building had existing air conditioning there would be additional savings.

Vice Mayor Dehnert moved to accept the Consent Agenda Item "F" to award the contract to Verde Sol-Air for the installation of the Geo-Thermal HVA/C system and authorize the Mayor to execute the Town of Clarkdale, 2010 Building Retrofit Project Agreement for these services. Motion seconded by Councilmember Regner. Motion approved unanimously.

## **NEW BUSINESS**

**CONSIDERATION OF A RESOLUTION # 1339, A RESOLUTION URGING THE RESTORATION, RENOVATION OR REBUILDING OF THE CLARK MANSION TO ITS HISTORIC FORM AND FUNCTIONALITY – Discussion and consideration of Resolution #**

**1339, a Resolution urging the restoration, renovation or rebuilding of the Clark Mansion to its historic form and functionality.**

It's been clear since June 25<sup>th</sup> that the passions of our citizens and many others who have admired the Clark Mansion from near and far were ignited along with the fire. Council Members and staff have been contacted by many people who are interested in seeing that every effort is made to determine if and how the remaining structure can be preserved and renovated.

The Clark Mansion, located at 301 Sycamore Canyon Road, was built by the grandson of William Andrews Clark (founder of Clarkdale) and has become an important historic and cultural icon for the citizens of Clarkdale and the Verde Valley. Currently owned by Freeport-McMoRan Copper and Gold, the Mansion and its 5 surrounding acres have recently been the subject of a land exchange between the owners and Verde Exploration, Ltd. Although the Town of Clarkdale recently approved an amendment to the Verde Valley Ranch Development Agreement to facilitate the transfer of ownership of the Mansion and the 5 acres, the actual transfer has not taken place between the parties.

The value of the Clark Mansion building and site to the citizens of Clarkdale and the Verde Valley cannot be adequately calculated by market values, replacement costs, capital improvement values or other conventional means and that the people of Clarkdale and many others have an extremely strong and passionate desire to see the Clark Mansion preserved to the maximum extent possible.

The Resolution before the Council urges the owners of the Clark Mansion and all other regulatory, public safety, legal and proprietary interests in the property to take no action that may preclude the possibility of restoring, renovating, or rebuilding the Mansion to its historic form and functionality without first exhausting all possible avenues that may preserve the building in as close to its former condition as possible.

Fire Chief Moore – Clarkdale Fire District, gave a report regarding the fire of the Clark Mansion on June 25<sup>th</sup>. Electrical wires on north side of structure were on a fence that was arching, which presented a severe safety hazard for fire personnel. Fire vehicles and staff were positioned to just prevent a wild land fire from continuing and could not put water on the structure due to the electrical issues. APS arrived in 20 minutes to cut the line, but the roof had collapsed and the entire structure was considered a loss. Eminent high winds were forecasted for four hours so they continued to allow the structure to burn out to keep embers from burning out to wild land fires. An investigation team was called in and the Sedona ladder truck was called out to take pictures from above and to finalize extinguishment of the structure. The Fire District returned to structure over the next few days to continue water to areas still burning. 12 fire apparatus units and 22 fire fighters responded. Due to structure cracks and chimney safety concerns, the Fire District considered it unsafe to enter the facility. Yavapai County Inspector was called in for an inspection, who stated the facility was too unstable for entry until a structural engineer evaluated the building and established a shoring design to support and protect potential collapse. The Fire District and Police Department continue working to monitor the area until the property owners describe what they intend to do. Had not met with Freeport McMoRan personally, but has told them about the safety issues. People are still cutting chains and entering the site and creating dangerous situations.

Freeport McMoRan has the responsibility to post the structure. The Fire District and Town can only advise them of danger and cannot require them to have security on site.

When questioned about some equipment for Fire District so they would be able to respond to similar type of power line issue, Chief Moore explained that the public safety realm creates containment, evacuation and waits until the correct agency responds.

Acting Police Chief Troy Smith stated that the Police Department was waiting for inspections and were digging up any leads that came up. They are in waiting mode also.

The Police Department is monitoring the property and there have been some thefts from the building since the fire. The Police Department has reported vandalism to the property owner more than the property owner reporting vandalism to the Police Department. This is private property and the Police can't be there all the time for security or require them to have physical security on site.

The Mayor opened the meeting to public comment:

Drake Meinke, Clarkdale, Heritage Conservancy Board – drafted memo handed out to Council regarding options to either complete restoration, demolition with removal of architectural embellishments, or total demolition.

Community Development Director Sherry Bailey clarified that the Town has sent Freeport McMoRan a letter stating the building was unsafe and that it needed to be secured. Their responses were getting an environmental assessment of site and Director Bailey requested discussions with them regarding preservation for community as whole.

Chris Boothe, Clarkdale. Stated that the Mansion was very soul of Clarkdale and applauded Town efforts restore the building. Is there anything in place to keep them from taking down? Mayor Von Gausig replied that the Town does not have any authority to make them restore building – only can make the request. Mr. Booth thought that collectively as a Town they should get together to prevent destruction of the building and thanked the Police Department for monitoring the building over years.

Gerhardt Mayer – Sedona. Stated that tearing down something is easy. He has always been passionate about Clark Mansion and thought that history cannot be erased and that it would be worth while looking into having the owner have an expert restoration engineer with historical experience.

Councilmember Regner – does not want to be in position going forward for another treasure to be lost where Town has not done everything they can to have owners keep building from deteriorating.

Councilmember Williams – Drake's proposal is wonderful. If the building cannot be saved we should try and save entrance archway, fireplace and windows in front.

Vice Mayor Dehnert offered an amendment to Resolution 1339 with an addition to last paragraph of "be it further resolved that the Town of Clarkdale require the owners to secure and

protect the property so as to prevent theft, vandalism, trespassing, destruction of evidence, and injury to the public.”

Town Manager Mabery and Community Development Director Bailey stated that the Town can require that they secure the building, but cannot dictate how to secure and protect. Normally a six foot chain link fence that is chained and locked would be considered appropriate measures for security. Issue of being secure means no one can get in there.

Vice Mayor Dehnert moved to adopt Resolution # 1339, a Resolution urging the restoration, renovation or rebuilding of the Clark Mansion to its historic form and functionality with additional language of “be it further resolved that the Town of Clarkdale require the owners to secure and protect the property so as to prevent theft, vandalism, trespassing, destruction of evidence, and injury to the public.”

Town Manager Mabery informed the Council that she did not think the Town could require anyone to do something to prevent theft or vandalism which is an action by someone else.

Vice Mayor amended his motion to take out theft, vandalism, and trespassing.

Vice Mayor Dehnert moved to adopt Resolution # 1339, a Resolution urging the restoration, renovation or rebuilding of the Clark Mansion to its historic form and functionality with additional language of “be it further resolved that the Town of Clarkdale require the owners to secure and protect the property so as to prevent destruction of evidence and injury to the public.” Motion seconded by Councilmember Renger.”

Community Development Director Bailey requested that public safety be added because that is what Community Development hangs all of their actions on.

Vice Mayor Dehnert withdrew his motion and Councilmember Regner withdrew his second.

Vice Mayor Dehnert moved to adopt Resolution # 1339, a Resolution urging the restoration, renovation or rebuilding of the Clark Mansion to its historic form and functionality with additional language of “be it further resolved, that the Town of Clarkdale require the owners to secure and protect the property so as to prevent the destruction of evidence, injury to the public, and to protect public safety.” Motion seconded by Councilmember Renger. Motion approved unanimously.

**CONSIDERATION OF ACCEPTANCE OF A GRANT FROM THE WALTON FAMILY FOUNDATION RELATING TO THE CLARKDALE SUSTAINABILITY PARK - Discussion and consideration of accepting a grant from the Walton Family Foundation relating to the Clarkdale Sustainability Park.**

During the Council’s February 26, 2010 Strategic Planning Session, the Council identified the solicitation of funding for administrative support for the Clarkdale Sustainability Park project as the highest priority focus for that project. The CSP Work Group developed a grant application to be submitted to the Walton Family Foundation and received permission from the Council on April 13<sup>th</sup> to submit the grant to the Foundation.

On June 14, 2010, the Town was notified that the Walton Family Foundation (WFF) had approved Clarkdale's proposal, an 18-month grant in the amount of \$225,250 to establish the Initial Project Management Team for the Clarkdale Sustainability Park. At the request of the Walton Family Foundation, the Town also included a request for a sub-grant to the Verde River Basin Partnership/USGS in the amount of \$247,922 to collect and analyze critical data and publish a report on water budgets and water resources needed by area resource managers to make informed management decisions. The Town of Clarkdale will receive \$2,479 to act as the pass-through agency for the sub-grant, resulting in a total project cost for the VRBP/USGS grant of \$250,401. The two grants combined total is \$475,651, with a term that is proposed to begin September 1, 2010 and expire February 28, 2012. The grant agreement/award letter is included in your Council packet, along with the finalized grant application.

If the grant acceptance is approved by the Council, the Town will begin advertising to fill the Project Manager position for the CSP immediately, and hope to hire the Project Manager by September 1, 2010. A job description for that position is included in the grant application.

Vice Mayor Dehnert complimented the Mayor Von Gausig, Town Manager Mabery, Community Development Director Bailey, Human Services Director Perry, and the staff for promoting the Clarkdale Sustainability Park and the viability of project. Councilmember Regner commented that there was a stark contrast between the last conversations at the Council and now and stated that this grant crosses the threshold making a legitimate project move forward.

Sandy Booth – Clarkdale – Stated that this was a fabulous effort and the importance of the Verde River Basin Partnership getting a portion of the grant was immeasurable.

Councilmember Bohall moved to accept the grant from the Walton Family Foundation in the amount of \$475,651 for the Clarkdale Sustainability Park and Verde River Basin Partnership and authorize the Mayor to execute the agreement. Motion seconded by Vice Mayor Dehnert. Motion approved unanimously.

**CONDITIONAL USE PERMIT FOR SPIRIT OF JOY LUTHERAN CHURCH - Discussion and consideration regarding a request for a Conditional Use Permit for Spirit of Joy Lutheran Church (Religious Worship) located at Scenic Drive and Old Jerome Highway, Parcel #406-29-070A.**

This property was granted a Conditional Use Permit (CUP) by Council in 2000. A renewal was granted in 2004, which expired in 2005. The current congregation is requesting that a new CUP be granted to build an 8,000-10,000 square foot building. The property is 4.76 acres, which is adequate to accommodate the building and required parking.

Zoning Code Section 3-1C, Single Family Residential, lists Churches, Synagogues, or other places of worship on lots of at least 10,000 square feet as a use requiring a Conditional Use Permit. The Planning Commission made the following findings at their June 15, 2010 meeting:

**The proposed Conditional use meets the following required findings:**

1. Applicable Regulations: Those conditions necessary to assure compatibility of the development of the land in question will be consistent with the purpose of the Zoning Ordinance, Town of Clarkdale General Plan, other statutes, and any ordinance or policies that may be applicable.

2. Bulk Regulations: The site is adequate in size and topography to accommodate proposed use, population density, building height, lot coverage, setbacks, spaces, landscaping, fences, and parking. That these elements are compatible with the general character of development in the vicinity of the proposed conditional use and are adequate to properly relate the proposed use with the existing land uses in the vicinity.
3. Performance: That the location, design and operation characteristics of the proposed use are such that it will have minimal adverse impact on the livability, public health, safety, welfare, or convenience on persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general.
4. Traffic Impacts: The provisions for ingress and egress, public streets and traffic circulation adequate, or can be upgraded through street improvements as a condition of approval.
5. Landscaping: Landscaping, and/or fencing of the proposed development, assures that the site development will be compatible with adjoining areas and with the intent of Town policies.
6. Nuisance: That the proposed use will not create a hazard to persons and property from possible explosion, contamination, fire or flood. That the use will not create a nuisance arising from, but not limited to noise, smoke, odors, dust, vibration, signage, or illumination.

The Planning Commission voted unanimously to recommend that the Town Council approve the request by Spirit of Joy Church for a Conditional Use Permit with the following conditions:

1. That the Church be consistent with the General Plan.
2. Sanitary waste improvements are required.
3. Street and/or sidewalk improvements are required to meet the Town's standards.
4. Fire protection measures are required by ordinance.
5. Utility service improvements shall be provided.
6. Amount, type and location of outdoor lighting and signage will be required to adhere to the lighting code.
7. Off-street parking area, aisles and access drives shall be designed and constructed so as to provide a durable, dustless surface that will be reviewed as part of the site plan review
8. Storm drainage improvements, based on a drainage report prepared by a licensed engineer, and approved by the Town Engineer.
9. Water service improvements as required.
10. Hours of operation. The building will be open from 8-12, four (4) days a week and consistent with the intended use.
11. Access provided along Scenic Drive and Old Jerome Highway.
12. Landscaping shall meet the Town of Clarkdale's landscaping standards.
13. Compliance with applicable Federal, State and Local regulations will be required.
14. The maximum height will not exceed thirty five feet (35').
15. All current Town of Clarkdale building codes will be met.
16. Signage must be approved by the Town of Clarkdale Design Review Board.

John Dias – Executive of Church – Stated that the Church had a desire to move from Cottonwood to Clarkdale and build the 1.25 million dollar church and hope to be completed in November of next year.

Mayor Von Gausig would like them to have consideration for the set backs for the neighborhood and night sky lighting.

Councilmember Williams wondered about sanitary sewer requirements. Community Development Director Bailey replied that as soon as the sanitary system becomes available they need to connect, but they need a septic system in beginning.

Vice Mayor Dehnert moved to approve the Conditional Use Permit for the Spirit of Joy Church with the following conditions:

1. That the Church be consistent with the General Plan.
  2. Sanitary waste improvements are required.
  3. Street and/or sidewalk improvements are required to meet the Town's standards.
  4. Fire protection measures are required by ordinance.
  5. Utility service improvements shall be provided.
  6. Amount, type and location of outdoor lighting and signage will be required to adhere to the lighting code.
  7. Off-street parking area, aisles and access drives shall be designed and constructed so as to provide a durable, dustless surface that will be reviewed as part of the site plan review
  8. Storm drainage improvements, based on a drainage report prepared by a licensed engineer, and approved by the Town Engineer.
  9. Water service improvements as required.
  10. Hours of operation. The building will be open consistent with the intended use.
  11. Access provided along Scenic Drive and Old Jerome Highway.
  12. Landscaping shall meet the Town of Clarkdale's landscaping standards.
  13. Compliance with applicable Federal, State and Local regulations will be required.
  14. The maximum height will not exceed thirty five feet (35').
  15. All current Town of Clarkdale building codes will be met.
  16. Signage must be approved by the Town of Clarkdale Design Review Board.
- Motion seconded by Councilmember Bohall. Motion approved unanimously.

**AGREEMENT FOR INDUSTRIAL WASTE WATER DISPOSAL WITH CLARKDALE METALS – Discussion and consideration of an Agreement between Clarkdale Metals Corporation and the Town of Clarkdale to accept Clarkdale Metals' industrial waste water.**

Clarkdale Metals came to the Town requesting that we consider accepting their industrial waste water. The staff has been working with them to identify the amount of water per month they need to get rid of and establishing the quality of the water per Town Code and the Arizona Department of Environmental Quality regulations. An agreement was reached that provides for 68,000 gallons per month with the provision that, if necessary, in one particular month, the Utilities Director can allow additional discharge into our system. All of the water discharged must meet regulations and code requirements, and each batch is tested to guarantee that the requirements are met. Clarkdale Metals has agreed to pay the Town twelve and one-half cents a gallon for us to accept their industrial waste water. The Agreement also provides for outside lab verification of the water quality for up to twelve times a year. That cost will be picked up by Clarkdale Metals.

This contract goes for one year. At this time we do not know if they will need to continue the contract past this year. The intent on their part is still to reuse as much of the water as possible when they get their complete system working.

Mayor Von Gausig's concern was that a daily limit was not addressed in Agreement and that if there was a daily limit, it should be addressed in the agreement.

The Agreement was changed to reflect an agreeable daily limit.

g. The Town agrees to accept up to 68,000 gallons per month of industrial treated waste water, but not more than 12,000 gallons in any 24 hour period. However, the Utilities Director, after being contacted by Clarkdale Metals Corporation, may accept additional gallons on an event by event basis.

Clarkdale Metal produces a very high quality water that will be brought into our system with no issues with odor and with no solids involved.

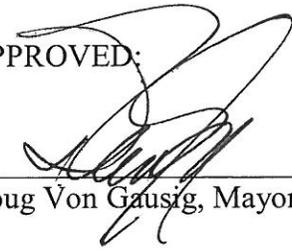
**Councilmember Regner moved to approve and execute the Agreement for Industrial Waste Water Disposal with Clarkdale Metals with the amendment in paragraph g:**

**g. The Town agrees to accept up to 68,000 gallons per month of industrial treated waste water, but not more than 12,000 gallons in any 24 hour period. However, the Utilities Director, after being contacted by Clarkdale Metals Corporation, may accept additional gallons on an event by event basis. Motion seconded by Councilmember Vice Mayor Dehnert. Motion approved unanimously.**

**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda  
No future agenda items.

**ADJOURNMENT** Without any further business, the Council adjourned at 8:30P.M.

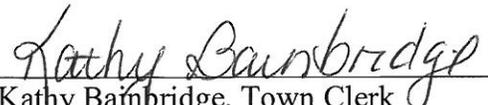
APPROVED:



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Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



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Kathy Bainbridge, Town Clerk