

Minutes of a Regular Session of the Common Council of the Town of Clarkdale Held on Tuesday, Jan. 25, 2022 at 3 P.M.

AMENDED

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, Jan. 25, 2022, at 3 P.M. at the Clubhouse at 19 N. Ninth St. and via Zoom Video Conference.

CALL TO ORDER –Mayor Prud’homme-Bauer called the meeting to order at 3 P.M.

Town Council:

Mayor	Robyn Prud’homme-Bauer
Vice Mayor	Debbie Hunseder
Councilmember	Bill Regner
Councilmember	Marney Babbitt-Pierce
Councilmember	Lisa O’Neill

Town Staff:

Town Manager	Susan Guthrie
Police Chief	Randy Taylor
Community Development Director	Ruth Mayday
Town Clerk	Charity Brooks

PUBLIC COMMENT – There was no public comment.

3. REPORTS

A. Departmental Reports (submitted with Council packet) - Summary of written Reports from Town Departments and Other Agencies

- Finance – PDF of Incode Report
- Building Permit Report
- Water and Wastewater Report
- Police Department Report

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the Town Council at a work session or during New Business discussion. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Prude’homme-Bauer asked if any Council Member wished to have an item removed from the Consent Agenda. Council Member Regner requested consent agenda item 4a be pulled for separate consideration.

A. Approval of Minutes of the Common Council

Consider and act upon a request to approve the minutes from the Regular Meeting held on Jan. 11, 2022.

B. Mutual Aid Agreement with Yavapai College

Consider and act upon a request to approve a Mutual Aid Agreement with Yavapai County Community College District to ensure both agencies have sufficient law enforcement resources available to respond to and handle all emergencies and authorize the Town Manager to execute the necessary documents.

C. Cemetery Well Repair

Consider and act upon request from staff to ratify and approve payment of \$29,985.39 to KP Ventures for emergency repairs and upgrade to the cemetery well.

Action: Accept Consent Agenda items B, C

Motion: Vice Mayor Hunseder

Second: Council Member O'Neill

Vote:

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

THE FOLLOWING ITEM WAS PULLED FROM THE CONSENT AGENDA TO BE VOTED ON SEPARATELY:

A. Approval of Minutes of the Common Council

Consider and act upon a request to approve the minutes from the Regular Meeting held on Jan. 11, 2022.

Council Member Regner requested an amendment of the minutes of the Common Council from the Regular meeting held on Jan. 11, 2022, regarding the CDBG item to state:

"Community and Economic Development Director, Ruth Mayday gave a presentation reviewing the public comments received during the first Public Hearing held on December 21, 2021. The projects proposed were largely focused on neighborhood revitalization: Revitalization of Caballero Park, repair and upgrade of roads, Owner Occupied Housing Rehabilitation, Code Compliance, Homebuyer Assistance, Rental Rehabilitation, and related services targeted to low- and moderate-income housing. Staff's initial recommendation was to develop a set of programs that could be used to improve underserved neighborhoods; however, the conditions at Caballero Park and the support in the Patio Park neighborhood for improvements to the facility justified the selection of that specific project. Staff will work with Arizona Department of Housing (ADOH) and the Northern Arizona Council of Governments (NACOG) to pursue funding in the next CDBG round to develop a Neighborhood Revitalization Strategy (NRS) to serve low- and moderate-income households in Clarkdale."

Action: Approve Consent Agenda item A – as amended:**Motion:** Council Member Regner**Second:** Council Member Babbitt-Pierce**Vote:**

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

5. NEW BUSINESS**A. TOWN OF CLARKDALE SANITATION BILLING**

Discuss, consider, and act upon a presentation from staff regarding the enforcement of Chapter 9 of the Town Code that governs refuse collection and removal within the Town limits.

Virginia Smith from Public Works gave a detailed presentation highlighting the following topics:

1. Patriot Contract Renewal
 - Council would like to receive an update on the sorting process for recyclables at the sorting facility
 - Council will consider the renewal after receiving an update from Patriot on the sorting process
2. Bulky and brush pick-up
 - Brush pick-up is a free service from Patriot
 - Bulky item pick-up is currently not offered to residents of Clarkdale
 - Suggestion made to charge a fee for bulk pick-up
 - Suggestion made to offer bulk pick-up as a paid service and potentially offer a household hazardous waste pick-up service
3. Is trash service a requirement
 - Yes, per Town Code, trash service is required
 - After discussion and clarification of the current Town Code, it was determined by Council that section 9-3-1 would be updated to include "except as specifically permitted in this chapter" and clarify method of customer transport
 - Code amendments will be presented to Council at a future meeting on consent
 - Trash service will be required and enforced on properties that contain a well and septic
4. Are vacation holds allowed?
 - Vacation holds are currently not allowed in the Town of Clarkdale
 - The majority of Council is opposed to vacation holds due to enforcement, administrative challenges and sanitation issues. It was agreed upon that Clarkdale currently offers very reasonable trash rates and allowing vacation holds is not a good idea for Clarkdale.

- Language of Town Code will be updated to reflect that vacation holds are not permitted.

B. RADLEY PUBLIC HEARING AND PRELIMINARY PLAT

Discuss, consider, and act upon a request from Sefton Engineering to approve a Preliminary Amended Plat for the Radley Subdivision that was originally platted in 1917 and authorize the Mayor or Town Manager to execute the necessary documents.

Community Development Director, Ruth Mayday, gave a presentation regarding the preliminary amended plat for the Radley Subdivision. The presentation included the original plat from 1917 that would allow approximately 695 lots in an 80-acre area with a current zoning lot size of 2500 square feet. This lot size does not currently meet the minimum standards in Clarkdale of 10,000 square feet per lot size.

It is proposed that the 80-acres are reconfigured into three large parcels.

At the conclusion of the presentation, the meeting was opened to public hearing for the Radley Preliminary Plat.

Applicant, Michael Bluff, addressed the Mayor and Council, expressing his gratitude for the fruition of this project that has taken 20 years.

No additional public comments and the public hearing was closed.

Council Member Regner questioned if the existing owners of property within the Radley area would not be affected by this change in plat. Ruth Mayday stated that the Community Development Department is working with the owners to ensure they are aware of and in agreement with this change. With the preliminary plat it is not necessary to have 100% approval but will need 100% approval for the final plat.

It was confirmed that future development of this area will include roads and sewers and the zoning will remain R1. Future lots could be as large as one-acre parcels.

Ruth Mayday stated that this is in the best interest of Clarkdale because the original plat cannot be revised without going through this process. The current plat from 1917 would drain the town of water resources and contains a lack of development agreements for roads, streets, and alley ways.

Action: Approve application #091328 for the Preliminary Radley Plat:

Motion: Council Member Regner

Second: Council Member O'Neill

Vote:

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye

Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

6. POSSIBLE VOTE TO ENTER EXECUTIVE SESSION

The Town Council may enter executive session for the following items pursuant to Ariz. Rev. Stat. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney; Ariz. Rev. Stat. § 38-431.03(A)(4) discussion or consultation with the attorneys of the public body to consider its position and instruct its attorneys regarding the public body's position regarding contracts that are the subject of negotiations; and/or Ariz. Rev. Stat. § 38-431.03(A)(1) discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body as to item B and C.

- A.** Intergovernmental Agreement with the City of Cottonwood for Municipal Court Services; and existing Intergovernmental Agreement with Yavapai County for Co-Located Court Services.
- B.** Discussion or consideration of the employment of Town Magistrate Lundy.
- C.** Discussion of the potential appointment of Town Magistrate.

Action: Move into Executive Session:

Motion: Council Member Babbitt-Pierce

Second: Vice Mayor Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

7. NEW BUSINESS (cont.)

Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda.

A. INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF COTTONWOOD FOR MUNICIPAL COURT SERVICES

Discuss, consider, and act upon an Intergovernmental Agreement (IGA) with the City of Cottonwood for Municipal Magistrate Court Services and notice of termination to Yavapai County regarding Co-Location of Court Operations (Contract # 2018-081); and authorize the Mayor or Town Manager, Town Attorney and Town Clerk to execute the necessary documents.

Town Council agrees that this is a good move for Clarkdale, not only financially but to assist with building a relationship with Cottonwood.

Much appreciation was expressed to Brenda Schorr, the Court Administrator, for assisting with the transition.

Action: Authorize Town Manger to initiate IGA with Cottonwood Magistrate Court Services and provide 90-day notice to Yavapai County to terminate the current contract:

Motion: Vice Mayor Hunseder

Second: Council Member Regner

Vote:

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

B. JUDGE LUNDY CONTRACT

Discuss, consider, and act upon the employment contract with Judge Lundy as Town Magistrate and authorize the Mayor or Town Manager to execute the necessary documents.

Council Member Regner recognized and showed appreciation to Judge Lundy for his years of dedication and service to the Town of Clarkdale. Mayor Prude'homme-Bauer echoed the same appreciation.

Action: Authorize Town Manager to provide 90-day termination notice to Judge Lundy:

Motion: Council Member Babbitt-Pierce

Second: Council Member O'Neill

Vote:

Voting Member	Aye/Nay
Council Member Marney Babbitt-Pierce	Aye
Vice Mayor Debbie Hunseder	Aye
Council Member Lisa O'Neill	Aye
Mayor Robyn Prud'homme-Bauer	Aye
Council Member Bill Regner	Aye

FUTURE AGENDA ITEMS – No future agenda items discussed.

ADJOURNMENT: Without objection Mayor Prud'homme-Bauer adjourned the meeting at 4:42 p.m.

APPROVED:

DocuSigned by:
Robyn Prud'homme-Bauer
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Robyn Prud'homme-Bauer, Mayor

ATTESTED/SUBMITTED:

DocuSigned by:
Charity Brooks
ECER3101EE8144B
Charity Brooks, Town Clerk

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 25 day of Jan. 2022. I further certify that meeting was duly called and held and that a quorum was present.

Date approved by City Council: Feb. 8, 2022

DocuSigned by:
Charity Brooks
ECER3101EE8144B
Charity Brooks, Town Clerk

DocuSigned by:

