

#4

**MINUTES  
REGULAR SESSION  
MAYOR AND COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, AUGUST 19, 2009  
6:30 P.M.**

**Minutes are a summary of the actions taken. They are not verbatim.  
Public input is placed after Council motions to facilitate future research.  
Public input, where appropriate, is heard prior to the motion**

1. **Call to Order**  
The meeting was called to order at 6:30 p.m.
  
2. **Roll Call**  
Mayor Burnside, Vice Mayor Kovacovich, Councilors Garrison, Whatley, Baker, Roulette and German were present.  
  
**Also Present:** Town Manager Michael Scannell, Town Marshal Dave Smith, Public Works Director Ron Long, Acting Community Development Director Mike Jenkins, Parks & Recreation Director Lynda Moore, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.
  
3. **Pledge of Allegiance**  
The Pledge was led by Garrison.
  
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
  - a) **Approval of the Minutes:**
    - 1) Regular Session – August 5, 2009
    - 2) Work Session – August 5, 2009
  - b) **Set Next Meeting, Date and Time:**
    - 1) August 26, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters
    - 2) September 2, 2009 at 6:30 p.m. – Regular Session
    - 3) September 9, 2009 at 6:30 p.m. – Work Session
    - 4) September 16, 2009 at 6:30 p.m. – Regular Session
    - 5) September 23, 2009 at 6:30 p.m. – Council Hearings Planning & Zoning Matters
  - c) **Possible authorization to pay \$22,368.18 for loss adjustment expenses incurred through 5/18/09 to Southwest Risk for the Zellner/California Hotwood v. Town of Camp Verde litigation.** This is a budgeted item in the FY 08/09 General Fund. (Staff Resource: Michael Scannell)
  - d) **Possible approval of and authorization for the Mayor to execute an Intergovernmental Agreement with Yavapai County Flood Control District to allow a funding rollover to FY 2009-10 in the amount of \$360,909 for the Cliffs Parkway Drainage project.** (Staff Resource: Ron Long)
  - e) **Possible approval of the FY 2009/10 Library Service Agreement with Yavapai County Library District to fund library services.** (Staff Resource: Gerry Laurito)
  - f) **Possible approval of a professional service contract for Indigent Legal Services for the Camp Verde Municipal Court.** This is a budgeted item in the General Fund. (Staff Resource: Judge Overholser)  
On a motion by Baker, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented.
  
5. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, and Yavapai County Water Advisory Committee. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
  - **Mayor Burnside will provide a brief report of his meeting with Prescott National Forest representatives. Items to be included in this report are Travel Management Rule, American Recovery & Reinvestment Act projects, Status of the Northern Arizona Land Exchange (Yavapai Ranch Land Exchange), Fuels Management, and the Verde River Basin Partnership.**

Garrison reported that she attended all her meetings and has no further information.

**Burnside** reported on a very informational meeting he had attended that included the National Forest Supervisor, Alan Quan, and the new Verde Ranger District Manager, Dee Hines. Burnside reviewed the brief outline and update provided at the meeting regarding the current projects being undertaken by the Forest Service, involving creation of a map of a trails system, several Recovery & Reinvestment Act projects including the employment of a number of youth between 15 and 18 years of age, and the status of the Yavapai Ranch Land Exchange. Burnside also described the benefits of the prescribed burn projects, reported that only the communities in Yavapai County have joined the Verde River Basin Partnership, and commented that it now appears that Prescott is finally recognizing Camp Verde's needs.

There were no further reports.

6. **Call to the Public for Items not on the Agenda.**

(Comments from the following individuals are summarized.)

**Tom Nielson** reiterated his request for permission to paint the gazebo; volunteers are ready to start the work, he would like to get the project completed in time for Fort Verde Days, but no official go-ahead has been received yet. (*Burnside suggested that Mr. Nielson speak with him after this meeting, and he will offer a different approach to take .*)

**Dan Brown**, Superintendent of Schools of the Camp Verde Unified School District, described his research on the challenge and inherent benefits through the effort of getting the community and the schools to work more closely together. Concluding his presentation and outline of several ideas for fostering such unity, T-shirts purchased by Mr. and Mrs. Brown, with a message promoting Camp Verde, were distributed to the Council members and staff.

There was no further public input.

7. **Discussion, consideration, and possible appointment to the two vacant positions on the Planning & Zoning Commission. One position has a term that expires in September 2010, and the other position expires in September 2011. Applicants are Bill Carter, Michael Hough, and Chip Norton.** (Staff Resource: Debbie Barber)

On a motion by German, seconded by Baker, the Council unanimously approved the following appointments to the Planning & Zoning Commission: Michael Hough for the term that expires in September 2010, and Chip Norton for the term that expires in September 2011.

Town Clerk Barber reported on the results of advertising for the vacancies, and the responding applicants were invited to address the Council.

**Chip Norton** assured the Council that he understands the time involved in serving on the Commission, has enjoyed serving on the Design Review Board, is "semi-retired," and wants to stay involved in volunteering for the Town. He believes that merging the DRB with P&Z could work, but much thought should be devoted to how it is done.

**Michael Hough** said he wants to continue to be involved in both the Design Review Board and Planning & Zoning; he has concerns about the direction of the DRB and how it could affect small business. Hough also listed his past involvement on many positions serving the Town of Camp Verde.

Councilor Roulette confirmed that Bill Carter requested that his name be removed from the list of interested applicants.

8. **Discussion, consideration, and possible approval of the following:** (Staff Resource: Ron Long)  
 a) **Memorandum of Understanding between Northern Arizona Council of Governments (NACOG) for the administration of the Voucher Transit System for FY 2009/10**

b) **Approval of funds in the amount of \$18,000 for FY 2009/10 with \$7,200 rolled over from FY 2008/09 and \$10,800 to come from contingency in the event that LTAF II funds are not allocated.**

On a motion by German, seconded by Roulette, the Council unanimously approved funds in the amount of \$18,000 for FY 2009/10 with \$7,200 rolled over from FY 2008/09 and \$10,800 to come from the contingency fund in the event that LTAF II funds are not allocated; and approve the Memorandum of Understanding.

Public Works Director Ron Long discussed with Council the challenge of working with the funding received for the transportation assistance and the problem of not being able to come up with a better system that the Town can afford.; the ridership number needs to be increased in order to apply for adequate grant funding and create a workable bus system. There was discussion on the limits involved in the NACOG voucher program, and a reminder of the no-cost neighbor-helping-neighbor program recently presented to Council by the Verde Valley Caregivers. Long commented on the possibility that the LTAF II funds might not be allocated, and the need for approving contingency funds as a backup. Long added that staff is continuing to look for ways for the Town to provide some sort of transit system.

**PUBLIC INPUT**

There was no public input.

9. **Discussion, consideration, and possible approval of Resolution 2009-767, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona declaring as a public record a certain document filed with the Town Clerk and entitled, "Town of Camp Verde Technical Code Amendments Chapter 7 – Building, Article 7-1, Section 7-1-100 of the Town of Camp Verde Code" of the Town of Camp Verde, Arizona.** (Staff Resource: Mike Jenkins)

On a motion by Baker, seconded by Garrison, the Council unanimously approved Resolution 2009-767, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona declaring as a public record a certain document filed with the Town Clerk and entitled, "Town of Camp Verde Technical Code Amendments Chapter 7 – Building, Article 7-1, Section 7-1-100 of the Town of Camp Verde Code" of the Town of Camp Verde, Arizona.

Acting Community Development Director Jenkins reminded the members that discussions have been held at length and questions answered on this proposed Resolution in the past; staff is available to answer any further questions.

**PUBLIC INPUT**

There was no public input.

10. **Discussion, consideration, and possible approval of Ordinance 2009-A359, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the 2006 International Code Council Codes (ICC), and related public codes and the "Town of Camp Verde Technical Code Amendments", amending Town Code Chapter 7 – Building, Article 7-1, and Adding Section 7-1-100, establishing a protocol for the annual review of Fee Schedules, and prescribing penalties for violations thereof.** (Staff Resource: Mike Jenkins)

On a motion by Whatley, seconded by Garrison, the Council unanimously approved Ordinance 2009-A359, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the 2006 International Code Council Codes (ICC), and related public codes and the "Town of Camp Verde Technical Code Amendments", amending Town Code Chapter 7 – Building, Article 7-1, and Adding Section 7-1-100, establishing a protocol for the annual review of Fee Schedules and prescribing penalties for violations thereof.

Jenkins said that if Council had further questions, staff is available to respond. A brief discussion with staff was held on the definition of "protocol."

Garrison stated for the benefit of any citizens who have not been following these actions being taken, the Council is not "rubber stamping" its approvals; staff and Council have worked on these issues for months. There was also confirmation that the current fee study will not be affected by adoption of this item.

**PUBLIC INPUT**

There was no public input.

11. **Discussion, consideration, and possible approval of Resolution 2009-769, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona declaring as a public record a certain document filed with the Town Clerk and entitled, "Town of Camp Verde Administrative Building Code Chapter 7 – Building, Article 7-2 Section 7-2-101 through Section 7-2-11 of the Town of Camp Verde Code" of the Town of Camp Verde, Arizona.** (Staff Resource: Mike Jenkins)

On a motion by Kovacovich, seconded by Baker, the Council unanimously approved Resolution 2009-769, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona declaring as a public record a certain document filed with the Town Clerk and entitled, "Town of Camp Verde Administrative Building Code Chapter 7 – Building, Article 7-2 Section 7-2-101 through Section 7-2-111 of the Town of Camp Verde Code" of the Town of Camp Verde, Arizona.

Jenkins said this Resolution will approve by formal action the Town of Camp Verde Administrative Building Code as a public record; furthermore, the agenda item should be corrected to properly reflect Section 7-2-101 through Section 7-2-111.

**PUBLIC INPUT**

There was no public input.

12. **Discussion, consideration, and possible approval of Ordinance 2009-A361, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the Town of Camp Verde "Administrative Building Code", amending Town Code Chapter 7 – Building, Article 7-2, and adding Section 7-2-101 through Section 7-2-111, establishing a protocol for the annual review of Fee Schedules, and prescribing penalties for**

**violations thereof.** (Staff Resource: Mike Jenkins)

On a motion by Garrison, seconded by Whatley, the Council unanimously approved Ordinance 2009-A361, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the Town of Camp Verde "Administrative Building Code", amending Town Code Chapter 7 – Building, Article 7-2, and adding Section 7-2-101 through Section 7-2-111, establishing a protocol for the annual review of Fee Schedules, and prescribing penalties for violations thereof, with the following revisions: 1) Leave the Board of Appeals procedures in the Administrative Building Code, Section 7-2-110 Board of Appeals; 2) Amend the verbiage on Page 43, Section 7-2-110.1, first sentence, to read, "... there shall be and is hereby created one Board of Appeals..."; and 3) Change the verbiage on Page 43, Section 7-2-110.1, last sentence, "The Building Official shall be the Ex-Officio member of and shall consult with and provide advice to the Board during the proceedings and may act as Secretary to the Board..."

#### **PUBLIC INPUT**

There was no public input.

13. **Discussion, consideration, and possible approval of an amendment to the FY 09/10 Services Agreement with the Chamber of Commerce relative to adding a performance incentive to the Chamber's budget base funding of FIFTY (50%) of the Bed Tax Revenues in EXCESS of ONE HUNDRED and FORTY THOUSAND DOLLARS UP TO A MAXIMUM OF TWENTY THOUSAND DOLLARS.** This is an unbudgeted item. (Staff Resource: Michael Scannell)

On a motion by Garrison, seconded by German, the Council unanimously approved an amendment to the FY 09/10 Services Agreement between the Town of Camp Verde and the Chamber of Commerce relative to adding a performance incentive to the Chamber's budget base funding of FIFTY PERCENT (50%) of the Bed Tax Revenues in EXCESS OF ONE HUNDRED THIRTY-FIVE THOUSAND DOLLARS UP TO A MAXIMUM OF TWENTY THOUSAND DOLLARS.

Town Manager Scannell referred to the agreement between the Town and the Chamber of Commerce for the last number of years; the 08/09 Budget included a provision for a bonus providing the Bed Tax Revenues exceeded \$135,000, which resulted in a bonus this year of approximately \$6,000-\$7,000. Based on the current economy, staff had recommended eliminating the bonus provision; however, after further discussions with the Chamber, Scannell said he is requesting that the incentive provision be included in the agreement with the Chamber since they have been doing an outstanding job, but with the exceeded amount to be set at \$140,000 instead of \$135,000, and the bonus to be capped at \$20,000.

#### **PUBLIC INPUT**

(Comments from the following individual are summarized.)

**Tracie Schimikowsky**, Executive Director for the Camp Verde Chamber of Commerce, requested that the proposed threshold be left at \$135,000, still at the 50% pay and a \$20,000 cap. Ms. Schimikowsky presented the past and anticipated Bed Tax Revenues figures that indicate the current trend or benchmark for a three-year period, after which she suggested that the threshold could then be raised to the \$140,000.

There was no further public input.

After discussion, with further input from Ms. Schimikowsky on the Chamber's marketing strategies, there was general agreement that the Chamber was doing an excellent job and that leaving the current threshold as it is would be fair and reasonable; upon further consideration Scannell said he would have no problem with recommending approval of the \$135,000 benchmark.

**NOTE: A recess was called at 7:55 p.m. the meeting was called back to order at 8:03 p.m.**

14. **Discussion, consideration, and possible approval of Resolution 2009-781, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona establishing rules and procedures for all Special Events held within the incorporated limits of the Town of Camp Verde and adopting the Town of Camp Verde Special Event Permitting Process and Handbook to become effective immediately upon its adoption.** (Staff Resource: Debbie Barber)  
There was no action taken. This item will be continued to the meeting scheduled for August 26, 2009.

Barber explained that the subject document was the final draft of the Special Event Permitting Process and Handbook to be approved by Resolution 2009-781 to become effective immediately. In addition to Council comments, Barber said staff has also received comments from staff and the public. Barber proceeded to point out the areas to be reviewed as well as clarified. The following revisions were agreed upon regarding the General Liability Insurance provisions:

The first sentence on Page 8 shall be revised to add, as underlined, "You must provide a Certificate of Insurance (COI) from an insurance company with a minimum rating of A-Minus by the A.M. Best rating company, for General Liability Insurance...." In addition, Page 8 shall provide that the requirement for General Liability Insurance shall be \$1,000,000 per occurrence and

\$1,000,000 aggregate.

Much of the ensuing lengthy discussion focused on the issue of providing security personnel, with advice and recommendations from Town Marshal Smith, as well as requiring that alcohol be sold and consumed only in specific areas. It was agreed that security personnel employed by the vendor or promoter must be cleared through the Camp Verde Marshal's Office. During the discussion there was some agreement that the expense to the Marshal's Office of providing the required two Deputies for the three events, Fort Verde Days, Crawdad Festival, and Pecan & Wine Festival, should be subsidized by the Town. It was also suggested that the Town Attorney should be consulted again on the issue of to what degree the Town might incur liability in connection with any involvement in the events. Discussing the Security section on Page 12, it was agreed that the language would be revised to indicate that "...security must be **cleared** through the Camp Verde Marshal's Office." No decision was made as to the language in the remainder of that paragraph.

The members addressed the subject of having specific site plans provided in the application for an event. **Jim Williams**, representing the Verde Valley Rangers, presented their request for two areas for a beer garden during Fort Verde Days, instead of only one location as required in the Procedures Handbook. After further discussion of the planned activities with Mr. Williams, including the Crawdad Festival, a compromise was reached by agreeing that the two requested fenced-in areas would be used as discussed, but only one at a time, and only one-half of the soccer field set aside for a beer garden instead of the entire field as requested. There was some discussion about revising the specific language regarding dimensions contained on Page 9 in "Set-up Requirements." It was determined that the service and consumption of alcohol at the Pecan & Wine Festival would be limited to the Gym only. **Carlie Androus**, of Camp Verde Promotions, commented that time is of the essence for Fort Verde Days, and she needs to get started on the paperwork. Also, Ms. Androus said that she had spoken with Mr. Scannell about a reduction in the fee for a vendor license. Barber confirmed that it would be possible under the existing Code for the Town Manager to waive fees for certain categories of vendors. Scannell said that during his meeting with Ms. Androus they had agreed to a fee of \$25 per day, and that is what he would recommend that Council approve. Ms. Androus was assured that the Minutes will reflect that the fee will be \$25 as discussed, and staff will do whatever is needed to get the packet out to her for processing as soon as possible.

It was agreed that the discussion on the Special Event Permitting Process and Handbook will be continued to the next meeting.

15. **Discussion, consideration, and possible approval of Ordinance 2009-A367, and Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 11-1-6 of the Town Code related to Parks – Alcohol Use.** (Staff Resource: Debbie Barber)

On a motion by Baker, seconded by German, the Council **voted 5-2** to approve Ordinance 2009-A367, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 11-1-6 of the Town Code related to Parks – Alcohol Use, adding language as follows (underlined): "... SHALL BE LIMITED TO ONE SPECIFIED AREA AT A TIME."; **with 'no' votes by Whatley and Garrison.**

The proposed Ordinance was briefly reviewed, and it was agreed that a minor addition should be made for clarification, that alcohol would be limited to one specified area at one time.

16. **Call to the Public for Items not on the Agenda.**

There was no public input.

17. **Advanced Approvals of Town Expenditures**

**a. There are no advanced approvals.**

There were no advanced approvals.

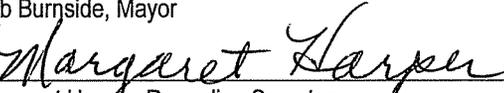
18. **Manager/Staff Report**

There was no Manager/staff report.

19. **Adjournment**

On a motion by Garrison, seconded by Baker, the meeting was adjourned at 10:15 p.m.

  
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Bob Burnside, Mayor

  
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Margaret Harper, Recording Secretary

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 19<sup>th</sup> day of August 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 10 day of September, 2009.

Deborah Barber  
Debbie Barber, Town Clerk