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**MINUTES  
REGULAR SESSION  
MAYOR AND COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, JANUARY 6, 2010  
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 6:31 p.m.

**2. Roll Call**

Mayor Burnside, Vice Mayor Kovacovich, Councilors Whatley, Garrison, Baker, Roulette and German were present.

**Also Present:** Town Manager Michael Scannell, Acting Community Development Director Mike Jenkins, Sr. Accountant Lisa Elliott, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

**3. Pledge of Allegiance**

The Pledge was led by Roulette.

**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) Special Session – December 16, 2009
- 2) Executive Session – December 16, 2009 (Recorded)
- 3) Regular Session – December 16, 2009

**b) Set Next Meeting, Date and Time:**

- 1) January 13, 2010 at 6:30 p.m. – Work Session
- 2) January 20, 2010 at 6:30 p.m. – Regular Session
- 3) January 27, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters

**c) Possible approval of Resolution 2010-795, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations and setting the 2010 Holiday Schedule. Staff Resource: Debbie Barber**

**d) Possible approval of Resolution 2010-796, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona setting Meeting Dates and Times for Council and all Commission/Committees. Staff Resource: Debbie Barber**

**e) Possible adoption of a Policy Statement that authorizes the Mayor as the Town's Chief Elected Official to support or oppose those bills that protect groundwater, State shared revenues, and land use authority that are introduced during legislative sessions when they adversely affect the Town's interest and need an immediate response. Staff Resource: Debbie Barber**

On a motion by Baker, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the following exceptions: The January 13, 2010 Work Session shall instead convene at 5:30 p.m.; Whatley abstained from voting on the Minutes since she had been absent; Garrison requested that Item 4.c) be pulled for separate consideration.

**c) Possible approval of Resolution 2010-795, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations and setting the 2010 Holiday Schedule.**

On a motion by Roulette, seconded by Garrison, the Council unanimously approved Resolution 2010-795, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations and setting the 2010 Holiday Schedule, with the exception of not listing Fridays as observed holidays since the offices are already closed on Fridays in 2010.

Garrison questioned the schedule of holidays, in particular the listing that indicated the date to celebrate Christmas as Friday, December 24. The discussion that followed included clarification and confirmation from the Manager and Town Clerk that the intent was basically to indicate when Town offices would be closed; the usual schedule of paid holidays for employees has not been changed. It was agreed that with the adoption of the 4-day work schedule the offices now will be closed on Fridays anyway, so it would not be necessary to continue to indicate the Friday closures.

German suggested that as to the section outlining the office closures for observing the 2010 Holidays, the caption read: "In

observance of the 2010 Holidays, all Administrative Offices are closed on the following dates:"

5. **Council Informational Reports.**

There were no Council informational reports.

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

(Comments from the following individuals are summarized)

**Marcus Tomes** requested that Item 14 regarding the Oasis property be moved up and addressed ahead of Item 8.

There was no further public input.

Mayor Burnside commented that he had received a request from Tony Gioia also asking if Item 14 could be moved up and addressed sooner; by consensus the Council members agreed to hear Item 14 before Item 9.

7. **Possible approval of and authorization to execute the contract for professional services with Phoenix Highway Services, Inc. for the regular and on call maintenance of the Town's traffic signals. This is a budgeted item in HURF.**

*Staff Resource: Ron Long*

Burnside announced that this Item 7 has been pulled and will be considered at a later date.

8. **Public Hearing and discussion, consideration, and possible recommendation of approval of the liquor license application as submitted by Walgreen Arizona Drug Company located at 473 W. Finnie Flats Road, Camp Verde, Arizona. Staff Resource: Debbie Barber**

On a motion by Garrison, seconded by Baker, the Council unanimously approved the liquor license application as submitted by Walgreen Arizona Drug Company located at 473 W. Finnie Flat Road, Camp Verde, Arizona.

Town Clerk Barber stated that no comments have been received. Tammy Bergman, Store Manager, read a statement from the Corporate offices assuring the Town that Walgreen understands and respects its responsibility in managing sales of liquor.

**Note: Item 14 was addressed prior to the following Item 9.**

9. **Possible approval of the establishment of salary related account numbers in fund 09 for the Community Development Block Grant (CDBG) FY 2010 Funding Cycle and the transfer of budget appropriations from account number 09-70-00-998, FY 2010 Funding Cycle Administration, to the new salary related account numbers for the CDBG FY 2010 Funding Cycle salary costs. Staff Resource: Lisa Elliott**

On a motion by German, seconded by Baker, the Council unanimously approved the establishment of salary related account numbers in fund 09 for the Community Development Block Grant (CDBG) FY 2010 Funding Cycle and the transfer of budget appropriations from account number 09-70-00-998, FY 2010 Funding Cycle Administration, to the new salary related account numbers for the CDBG FY 2010 Funding Cycle salary costs.

Sr. Accountant Lisa Elliott said that this item basically is only a bookkeeping issue, changing from using a one-line item to breaking that item out in detail, a move that was recommended by the auditors. The auditors also recommended that such a change be made with Council approval.

10. **Possible approval of budget re-appropriations for unbudgeted items previously approved by Council as follows: Staff Resource: Lisa Elliott**

- a. **\$120,000 for contract with Dava and Associates and Counts Consulting, LLC for the comprehensive update of the Town's P&Z Ordinance with 40,086.25 from the refinance of the Sanitary District Loan, \$72,693.12 from the vacated Community Development Director's position; \$6,342.00 from the Chamber of Commerce AOT grant appropriation; and \$878.63 from the General Fund to cover the balance of the contract amount for the FY 09-10.**
- b. **Cancel the reappropriation of salary savings of approximately \$42,139.65 from Parks & Recreation department to Public Works, as the funds are no longer needed for an additional Staff Engineer.**
- c. **Re-appropriate \$1,500 from the CIP Administrative Vehicle Line Item to the new CIP Fund line item, entitled Rio Verde Plaza Feasibility Study.**

On a motion by Baker, seconded by Garrison, the Council unanimously approved the budget re-appropriations for unbudgeted items previously approved by Council, as detailed in the Staff Report.

Burnside commented that the reason he pulled this item off the Consent Agenda was to make sure that the public is aware at all times of what the Council is doing with the community's money. During the brief discussion it was pointed out by Elliott that

although the expenditures had been approved, it was necessary to also seek Council approval for the necessary budget re-appropriations.

11. **Possible approval of the establishment of budgetary line items for the Energy Efficiency & Conservation Block Grant (EECBG) and the 2010 Census Bureau Complete Count Program Grant and the reappropriation of budgeted items as follows:** Staff Resource: Lisa Elliott
- a. **EECBG - \$91,150.97.** Reappropriate \$66,674 from the remaining budget appropriation in the COPS grant line item and \$24,476.97 from the budget appropriation from the Local Revolving Loan Fund line items to the new account numbers for the EECBG in the Federal Grants budgetary unit. The reappropriations will allow for the \$91,150.97 to be expended in FY 09/10.
  - b. **Complete Count Program - \$2,976.** Reappropriate \$2,976 from the remaining budget appropriation in the Local Revolving Loan Fund budget appropriation to the new account numbers for the Complete Count Program in the Federal Grants budgetary unit. *Staff Resource: Lisa Elliott*

On a motion by Whatley, seconded by Kovacovich, the Council unanimously approved the establishment of budgetary line items for the Energy Efficiency & Conservation Block Grant (EECBG) and the 2010 Census Bureau Complete Count Program Grant and the re-appropriation of budgeted items, as detailed in the Staff Report.

Elliott said that this item is another "housekeeping" issue. Since these grants were not adopted in the original budget, and State Statutes dictate that the total amount of expenditures cannot exceed what was adopted in the budget, in order to be able to expend the funds to be received from the grant, adjustments must be made in other areas to accommodate that, a move approved by the auditors. A brief discussion followed, with confirmation from Elliott that no funds are being taken out of the Housing Revolving Loan fund whatsoever. In essence, appropriations are simply being moved from one area to another; revenues remain intact.

12. **Possible ratification of the Non-Disclosure Agreement relative to a water rights settlement agreement between the Yavapai Apache Nation and the Town of Camp Verde.** *Staff Resource: Michael Scannell*

On a motion by Kovacovich, seconded by Whatley, the Council unanimously approved and ratified the Non-Disclosure Agreement relative to a water rights settlement agreement between the Yavapai Apache Nation and the Town of Camp Verde, as attached to the Staff Report and dated 1-6-10.

Scannell said that the next series of meetings with the Yavapai-Apache Nation will consist of getting into specific detail on the water rights settlement proposals. Those negotiations are by their very nature confidential; the end result will be published in a public document available for review. Maintaining confidentiality is very important to the Tribe at this point; the subject agreement is designed to ensure and protect that confidentiality. Scannell said that the Nation supports the language contained in the most recent revision dated 1-6-10; this document will allow the meetings to proceed and to discuss the substantive issues around the water negotiations. Scannell confirmed that the Nation is comfortable with the proposed Non Disclosure Agreement instead of the Joint Defense Agreement, both of which are basically confidentiality agreements; the agreement has been approved by the attorneys for both entities.

13. **Discussion, consideration, and possible approval of Ordinance 2010-A372, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Chapter 3, Article 3, by adding Section 3-3-5.D to the Town of Camp Verde Town Code relating to purchases in general (bids and proposals) to include a local preference for goods and construction materials. Discussion to include Exhibit A and the determination of amounts to be included in said Exhibit.** *Staff Resource: Michael Scannell*

Staff was directed to research and fill in the blank spaces in Exhibit A, as discussed, and bring the Ordinance back to Council, with the completed Exhibit A attachment, for approval on the Consent Calendar at the next possible meeting, allowing time for the members to review the completed document.

Scannell said that in connection with supporting local businesses, the attorney has advised the Town that the bid preference can only be applied on transactions with vendors which have a taxable component to them; i.e., where goods are being sold, not services rendered. Scannell referred to the proposed Ordinance with an attached Exhibit A that contains blanks to be filled in. He requested that staff be given time to work out the numbers, what the ranges would be for the different percentages indicated, and then come back to Council with Exhibit A completed. The Ordinance could then be approved as a Consent Agenda item. The consensus of Council indicated support for the concept and agreement to have staff bring the issue back when completed.

14. **Discussion, consideration, and possible authorization to proceed with a Minor General Plan Amendment and Zoning Map Change from the current land use designation of Public Facilities to Commercial and from the current zoning of R1L-70 to C2 (Commercial: General Sales and Services) for the Town-owned property located on Oasis Road,**

**Assessor's Parcel (APN) 403-23-152A, located at the corner of SR 260 and Oasis Road. Staff Resource: Michael Scannell**  
 On a motion by Baker, seconded by Roulette, the Council voted 5-2 to authorize the Manager to initiate a General Plan Amendment from Public Facilities to Commercial and to Rezone from R1L-70 to C2 for the Town-owned Oasis property, Parcel 403-23-152A located at the corner of the Hwy 260 bypass and Oasis Road; with 'no' votes by Burnside and Whatley.

Whatley stated that her reason for her opposition was based on the lack of public participation at this time.

Scannell explained that he had been requested to look into a number of Town-owned assets, and to brief the Council on options with respect to resolving the current financial challenges and utilize those assets in appropriate ways. Based on his research, Scannell suggested that the subject parcel appears to be a viable option for commercial purposes, which would make it substantially more valuable for the Town through rezoning to a designation of C-2. Scannell confirmed that if such a change were contemplated, the Planning Commission rezoning procedure will ensure a fully transparent public process. The public will have ample opportunity to advocate for or against any zoning change and General Plan Amendment.

Jenkins stressed that at this time staff only seeks direction on whether the Council is interested in pursuing the public process for a zoning change; the first step of which would be an application before the Planning Commission for a Zoning Map change. Scannell pointed out that in contrast with an application from a private individual, the cost to the Town would actually be zero in the near-term. There was some objection from the Council that not enough information has been provided in order to be comfortable with making a decision at this time. Scannell reiterated that the entire process will be fully vetted in the Planning Commission public process, and any final decision will ultimately be made by the Council.

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

There was no public input.

**16. Advanced Approvals of Town Expenditures when there are no advanced approvals.**

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

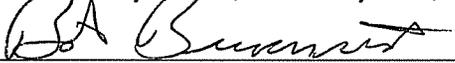
There were no advanced approvals.

**17. Manager/Staff Report**

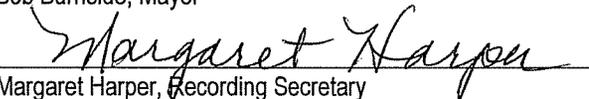
Scannell reported on the existing bleak situation with the State Parks Board. There is a meeting of the State Parks Governing Board scheduled for January 15<sup>th</sup> in Phoenix; Scannell said he will plan to attend on behalf of the Town to argue for the future of Fort Verde. The intent is to be able to work on a long-term plan to keep the Fort open, perhaps taking over management by leasing it from the State at a very nominal amount. The contract would set forth the responsibility of the Town as to staffing and proper maintenance requirements. Scannell suggested that the \$18,000 recently approved for the Fort could be applied to the staffing of Fort Verde past February, possibly till March or April, which would allow time to work on the proposed long-term agreement. Scannell also suggested that it would be helpful to have a member of the Council accompany him to the January 15<sup>th</sup> meeting.

**18. Adjournment**

On a motion by Garrison, seconded by Baker, the meeting was adjourned at 8:11 p.m.



Bob Burnside, Mayor



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 6<sup>th</sup> day of January 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 25 day of January, 2010.



Debbie Barber, Town Clerk