

**ACTIONS TAKEN
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 27, 2008
at 6:30 P.M.**

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) February 12, 2008 – Retreat
 - b) **Set Next Meeting, Date and Time:**
 - 1) Joint Work Session – February 21, 2008 at 5:00 p.m.
 - 2) Regular Session – March 5, 2008 at 6:30 p.m.
 - 5) Joint Work Session with Library Advisory Commission – March 12, 2008 at 6:30 p.m.
 - 6) Regular Session – March 19, 2008 at 6:30 p.m.
 - 7) Council Hears Planning & Zoning – March 26, 2008 at 6:30 p.m.
 - c) **Possible authorization for the Mayor to sign the request to rescind the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 and possible direction to staff to cancel the appraisal.**

On a motion by Smith, seconded by Kovacovich, the Council unanimously approved the Consent Agenda as presented, with the corrections noted, a meeting with the Sanitary District set for March 6, 2008, at 5:00 p.m., and Item 4.c) pulled for discussion.

Garrison requested a correction to the February 12, 2008 Retreat Minutes, Page 2, middle of the page; Garrison said that to the contrary, she had no knowledge that Parry lived outside the Town limits when he was elected. Gioia commented that he had other corrections as well; he will discuss that with the Town Manager. Garrison also requested that Item 4.c) be pulled for discussion.

- c) **Possible authorization for the Mayor to sign the request to rescind the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 and possible direction to staff to cancel the appraisal.**

Staff was directed to take no action and to bring the issue back to Council at a later date.

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

There was no public input.

6. **Council Informational Reports**

Elmer reported that he had attended the Chamber meeting last Thursday; the discussion was on ways to measure their performance.

Hauser said today was the MATForce meeting; Camp Verde has the highest rate in the Verde Valley of underage drinking offenses.

Smith commented that the meeting with the Yavapai-Apache Council last night was a great experience, and added special appreciation for the dinner served by the Church ladies.

Garrison also commented on the good experience at the Yavapai-Apache meeting, and reported on the Sanitary District special meeting last Tuesday; it was determined that the design structural failure is the reason for the problem with the wastewater treatment plant.

Kovacovich expressed thanks to the Church group and the staff for all the preparations for the

great meal.

Gioia also thanked everybody involved in the Y-A meeting, including the creative staff members, and commented on how well the meeting went, much of it informally but very productive. Gioia reported on Fox TV's contact with him on the Fossil Creek Wild & Scenic designation, and briefly addressed his concern about HB 2772 that was on the agenda for further consideration.

7. **Discussion, consideration, and possible appointment of three (3) Council members to serve on an Interview Panel with the Manager and a Judicial Branch Representative for the Magistrate position and direction to staff to set appointments for interviews as soon as possible. The HR Director will serve on the Interview Panel as a staff resource and non-voting member.**

Staff was directed that Mayor Gioia and Councilors Smith and Kovacovich are appointed to serve on the subject Interview Panel as discussed.

There was no public input.

Note: As a courtesy to the individuals in attendance, it was agreed to address Item 13 ahead of Item 7A and the remainder of the Agenda.

- 7A. **DISCUSSION, CONSIDERATION, AND POSSIBLE APPROVAL OF CHANGE ORDER #2 FOR \$27,000 TO PROVIDE A TURN-KEY OPERATION FOR THE CDBG TOWNSITE REDEVELOPMENT/COMMUNITY IMPROVEMENTS (RESTROOM) PROJECT; AND POSSIBLE AUTHORIZATION TO REQUEST A TRANSFER OF \$20,000 FROM ACTIVITY #1, ADMINISTRATION FUNDS OF ADOH CONTRACT #137-06 TO ACTIVITY #2, THE PROJECT; AND POSSIBLE AUTHORIZATION TO EXPEND APPROXIMATELY \$6,000 OF UNBUDGETED MONIES FROM THE PARKS FUND TO COMPLETE THE PROJECT.**

On a motion by Hauser, seconded by Elmer, the Council unanimously approved CHANGE ORDER #2 FOR \$27,000 TO PROVIDE A TURN-KEY OPERATION FOR THE CDBG TOWNSITE REDEVELOPMENT/COMMUNITY IMPROVEMENTS (RESTROOM) PROJECT; AND POSSIBLE AUTHORIZATION TO REQUEST A TRANSFER OF \$20,000 FROM ACTIVITY #1, ADMINISTRATION FUNDS OF ADOH CONTRACT #137-06 TO ACTIVITY #2, THE PROJECT; AND POSSIBLE AUTHORIZATION TO EXPEND APPROXIMATELY \$6,000 OF UNBUDGETED MONIES FROM THE PARKS FUND TO COMPLETE THE PROJECT, and to research a refund of the \$19,000 in taxes, and if appropriate request a refund.

PUBLIC INPUT

(Comments from the following individual are summarized in the Minutes.)

Robin Whatley

There was no further public input.

A recess was called at 7:55 p.m.; the meeting was called back to order at 8:05 p.m.

8. **Public Hearing, discussion, consideration, and possible approval of a Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by JoAnn Sawyer, owner of parcel 404-03-026A adjacent to the proposed Abandonment (Vacation).**

On a motion by Smith, seconded by Garrison, the Council unanimously approved a Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by JoAnn Sawyer, owner of parcel 404-03-026A adjacent to the proposed Abandonment (Vacation).

9. **Public Hearing, discussion, consideration, and possible approval of a Roadway Abandonment (Vacation), STABNDMT 2007-01, for a portion of Spruce Street located**

in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Carlos and June Trinidad, owners of parcel 404-03-042 adjacent to the proposed Abandonment (Vacation).

On a motion by Smith, seconded by Gioia, the Council unanimously approved a Roadway Abandonment (Vacation), STABNDMT 2007-01, for a portion of Spruce Street located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Carlos and June Trinidad, owners of parcel 404-03-042 adjacent to the proposed Abandonment (Vacation).

10. **Public Hearing, discussion, consideration, and possible approval of Resolution 2008-739 of the Town Council of the Town of Camp Verde, Arizona, approving General Plan Amendment (2007-02) that amends the Land Use Map of the General Plan for Parcel 404-18-161G from Rural Residential to Low Density Residential. This amendment is to accommodate a Minor Land Division; this property is located off Arena Del Loma east of Esther Parkway on the south side of the roadway adjacent to Arena Del Loma Estates.**

Approval of Resolution 2008-739 was denied for lack of a motion.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

(Pronunciation of name unintelligible) spoke in favor of the General Plan Amendment.

Don Gaines said he wholeheartedly approves the requested zoning.

Dugan McDonald also spoke in support of the requested change; other changes have been made with far less community support. (Mr. McDonald later offered to show an estimated lot split that he had prepared as a licensed surveyor; Council declined.)

There was no further public input.

11. **Public Hearing, discussion, consideration, and possible approval of Ordinance 2008-A347, an Ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 404-18-161G consisting of approximately 1.80 acres from R1L-70 to R1L-35. This rezoning is to allow for a minor land division; this property is located off Arena Del Loma east of Esther Parkway on the south side of the roadway adjacent to Arena Del Loma Estates.**

There was no action taken; the requested Zoning Map change was not acted upon since the preceding General Plan Amendment was not passed.

12. **Public Hearing, discussion, consideration, and possible approval of Ordinance 2008-A348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the Use Permit process for youth livestock activity on parcels smaller than ½ acre, and to add language for setback requirements for livestock activity as was previously stated in Section 109.**

A motion by Garrison to approve one swine only for one-half acre or less was seconded by Hauser who then withdrew her second; motion failed for lack of a second.

Staff was directed to move forward as soon as possible on the adding the recommended nuisance provision to the Town Code and bring it back to Council; staff is directed to work with Cody Carter on the details as discussed and bring it back to Council.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

Susan Danner

Ira Piper

Vivian Raines

**Loren Eldridge
Sue Peterson
Leonard Krautbauer**

There was no further public input.

- 13. **Discussion, consideration, and possible direction to staff concerning citizen complaints about Zellner’s Woodyard. Complaints include, but are not limited to noise, vermin, fire danger, and zoning issues.**

Staff was directed to follow through with the fact-finding as outlined; notify all parties as soon as possible; research past Minutes to determine what previous Councils have done and said on the issue; implement a rapid process to identify the scope of legal and illegal non-conforming uses; allow for a response from Zellners’ attorney supporting his belief that it is permitted, and then come back to Council with a recommendation.

Responding to a complaint about the Zellners having not been notified in advance that this Agenda item was scheduled to be addressed, Town Attorney Sims said that the public has the right to raise issues, but this item is not intended to be a public hearing where property owners’ rights will be impacted; it is simply an agenda item to raise the issue, possibly get advice from the Attorney at an Executive Session on the legal ramifications. Staff can then present facts at a later public hearing if so directed on the issue of a continuing non-conforming use and a conflict regarding whether the Town acted in the past to permit that.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

**Clinton Gray
Daryl Manhart
Shari Williams
Howard Parrish
Art Coppinger
Danny Parker
Stacy Barker**

There was no further public input.

- 13A. **DISCUSSION, CONSIDERATION, AND POSSIBLE AUTHORIZATION FOR THE MAYOR TO RELAY CONCERNS REGARDING HB 2772, WHICH WOULD AUTHORIZE AN INTER-BASIN WATER TRANSFER BY THE CITY OF WILLIAMS, THUS PERMITTING THE CITY OF WILLIAMS TO PUMP GROUNDWATER OUT OF THE VERDE WATERSHED.**

There was no action taken; it was agreed to revisit this item next week.

There was no public input.

Note: Vice Mayor Hauser left the meeting at 11:15 p.m.

- 14. **Call to the Public for Items not on the Agenda.**

There was no public input.

- 15. **Advanced Approvals of Town Expenditures**

a) There are no advanced approvals.

There were no advanced approvals.

- 16. **Manager/Staff Report**

Buckel gave an update on the request from Council for the procedural change on the agenda packets; also, time will be extended on scheduling hearings in order to provide staff additional time to get process the reports.

17. **Adjournment**

On a motion by Garrison, seconded by Kovacovich, the meeting was adjourned at 11:38 p.m.

Tony Gioia, 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 27th day of February 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2008.

Debbie Barber, Town Clerk