

**ACTIONS TAKEN
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MARCH 19, 2008
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) March 12, 2008 – Joint Work Session with the Library Advisory Commission
 - 2) March 12, 2008 – Special Session
 - 3) March 12, 2008 – Executive Session (taped)
 - 4) March 5, 2008 – Regular Session
 - 5) March 5, 2008 – Executive Session
 - 6) February 27, 2008 – Council Hears Planning & Zoning
 - b) **Set Next Meeting, Date and Time:**
 - 1) Council Hears Planning & Zoning – March 26, 2008 at 6:30 p.m.
 - 2) Regular Session – April 2, 2008 at 6:30 p.m.
 - 3) Quarterly Work Session with the Commissions to include a Joint Work Session with the Housing Commission – April 9, 2008 at 6:30 p.m.
 - 4) Regular Session – April 16, 2008 at 6:30 p.m.
 - 5) Council Hears P&Z – April 23 at 6:30 p.m.
 - c) **Possible award of contract for CDBG Project #108-07, Senior Center Improvements to RC Homes and Development for \$57,805.00 to include the alternates, excluding Change Orders, and authorization for the Mayor to sign the Contract documents.**
 - d) **Possible approval of Resolution 2008-744, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring the Mayor, Vice Mayor, Finance Director, and Town Clerk as the authorized bank account signers for all bank accounts held by the Town of Camp Verde.**
 - e) **Possible approval of Resolution 2008-743, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona, declaring as a Public Record that certain document filed with the Town Clerk and entitled “The 2008 Amendments to the Tax Code of the Town of Camp Verde”.**
 - f) **Possible approval of Ordinance 2008-A353, an Ordinance of the Mayor and Council of the Town of Camp Verde, Arizona, relating to the Privilege License Tax; adopting “The 2008 Amendments to the Tax Code of the Town of Camp Verde” by reference; establishing an effective date; providing for severability and providing penalties for violations.**
 - g) **Possible approval of the FY 2008-09 proposed budget calendar.**
 - h) **Possible authorization for the Trails & Pathways Commission representatives to continue to represent the Town at the Verde Valley Regional Trails Plan meetings and to report on these meetings during the regularly scheduled Trails & Pathways Commission meetings.**
 - i) **Possible approval of Proclamation declaring April as “Substance Abuse Awareness Month” in Camp Verde.**

On a motion by Hauser, seconded by German, the Consent Agenda was unanimously approved as presented, with the exception of Items e) and i).

Councilor German requested that the record reflect that he was not present for the meetings of March 5th, either the Regular or Executive, and/or the February 27th meeting; he will abstain from voting on approval of the Minutes of those three meetings.

- e) **Possible approval of Resolution 2008-743, a Resolution of the Mayor and Council of the Town of Camp Verde, Arizona, declaring as a Public Record that**

certain document filed with the Town Clerk and entitled "The 2008 Amendments to the Tax Code of the Town of Camp Verde".

On a motion by Hauser, seconded by Garrison, the Council unanimously approved Item e) as set forth.

i) Possible approval of Proclamation declaring April as "Substance Abuse Awareness Month" in Camp Verde.

On a motion by Elmer, seconded by German, the Council unanimously approved Item i) as set forth.

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

(Comments from the following individuals are summarized.)

Howard Parrish reported that the Camp Verde Cavalry won First Equestrian Color Guard in Sedona over the weekend; Ch. 3 has contacted him regarding the April 2nd segment; Parrish gave a report on the upcoming annual Lakeside-Pinetop Sheriff's Posse mail ride and how to send mail with them.

Greg Freeman said that he is the newest member of the Sanitary District Board, and explained that the Board members are beginning to prioritize the several issues facing them, including the IGA entered into between the Town and the Board in 2007; they are working to rectify the breach that the District may have created in connection with the draw requests, and trusts that the Town will likewise take steps to close the breaches that may have been created by the Town.

There was no further public input.

6. Council Informational Reports

German thanked the community for their comforting support of the German family during the recent loss of his brother.

Elmer reported that the baseball teams have been picked and practices are starting; everyone is looking forward to a great baseball season.

Hauser said the Verde Watershed Association meeting this morning was very interesting; it is now time to join as a member. HB 1575, the water adequacy bill, has been approved by Cochise County and the City of Patagonia. Hauser reminded everyone of the Canoe Challenge on March 29th and the March on Meth that same day; the Easter Egg Hunt is Saturday morning beginning at 8:00 a.m.

Smith wished everyone a Happy Easter and Good Friday.

Garrison congratulated Ben and his wife on their new baby boy; she is the Liaison to the Sanitary District and was glad that Greg Freeman addressed the current issues; Garrison said that the decision was made to extend on an emergency basis the Arizona Engineering Contract to fill in Rick Spears' position until a replacement is found.

Gioia reported on his dealing with the State Legislature on HB 2772, as well as the current water legislation which he will oppose on behalf of the Town; he also attended a water bill signing by the Governor that provided an opportunity to discuss water issues further with the Governor. Gioia also reported on attending the Mayor/Manager meeting and the support on water issues offered by the Chairman of the Yavapai-Apache Nation in connection with his upcoming trip to Washington D.C.. Gioia rode in the Sedona St. Patrick's Day Parade in an Out of Africa Hummer with boa constrictors for company.

7. Discussion, consideration, and possible approval of an appeal to the Mayor and Town Council concerning the Town's Building Department charging impact fees in the

amount of \$4,756.00 for Building Permit #2007389 for the installation of new electrical pedestals for spaces 72 and 73 within Buffalo Run Mobile Home Park as submitted by Michael Thieme Attorney, agent for Gary and Beverlee Jones, owners.
There was no action taken; therefore, approval of the appeal is denied.

There was no public input.

8. Discussion with the Camp Verde Youth Commission and possible authorization to staff to designate the metal building located next to the new Marshal's Office as the future site for the Camp Verde Teen Center.

On a motion by Hauser, seconded by Garrison, the Council unanimously authorized staff to designate the metal building located next to the new Marshal's Office as the site for the Camp Verde Teen Center.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Rick Parks outlined two concerns including the cost of liability insurance, and the issue of sufficient parking space.

Tom Nielson commented on the location of the building.

There was no further public input.

9. ~~Presentation of the February 2008 Financial Report by Lisa Elliott.~~ (Staff Resource: Lisa Elliott) THIS ITEM WILL BE HEARD ON APRIL 2, 2008.

10. Discussion, consideration, and possible direction to staff as it relates to the construction of an AB gravel road off of Moser, parallel to Montezuma Castle Highway as the entrance to Black Bridge Park and the use of portable toilets with privacy walls as the restroom facility if permitted by Yavapai County.

On a motion by Gioia, seconded by Smith, the Council voted unanimously to direct staff to move forward with both the AB for the roadway in that particular area as outlined on the depiction, and to move forward with the restrooms as set forth by the proposal of staff and in the depiction.

There was no public input.

11. Discussion, consideration, and possible appointment of Rodger E. Overholser to the Magistrate position, direction to staff to negotiate a 2-year contract.

On a motion by Smith, seconded by Garrison, the Council unanimously appointed Rodger E. Overholser to the Magistrate position, and directed staff to negotiate a 2-year contract.

12. Discussion, consideration, and possible direction to staff relative to permitting alcohol sales and/or consumption on Town-owned property and at Town-sponsored events.

Staff was directed to set a time line for the Parks & Recreation Commission to have a public hearing on the subject, and to come back to Council with a recommendation from the Commission allowing appropriate time for notification of public to give them the chance to address Council on the issue.

PUBLIC INPUT

(Comments from the following individual are summarized.)

Tom Nielson said that back in 1986 the Council had passed the ordinance banning liquor from the events.

There was no further public input.

A recess was called at 7:53 p.m.; the meeting was called back to order at 8:03 p.m.

- 13. Discussion and possible reconsideration of the February 27, 2008 Council direction to staff to “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 Zellner’s attorney, and then come back to Council with a recommendation”. This direction was related to Canyon Wood Supply (formerly Zellner’s Woodyard).**

A motion by Smith to direct staff to resolve the problem by finding out all the facts for a fair and objective assessment of both sides of the issue, **failed** for lack of a second.

On a motion by Garrison, seconded by German, the Council voted 4-3 to reconsider the direction to staff on February 27th 2008 on the Canyon Wood Supply; with ‘no’ votes by Smith, Kovacovich and Elmer.

Staff was directed to determine the appropriateness of the business license for the property owners, the parcel, and if in the quest of determining the appropriateness of the business license, staff determines there has been a change in ownership to come back to Council with a recommendation as to how to proceed in light of the change in ownership; it could be that under the agreement between the Zellners and the Town that with the change of ownership there may have to be a reversion back to the prior use; it is premature to make that decision tonight until staff comes back with the facts.

Smith said he wanted to make a point of order: This is a reconsideration of a vote already taken; according to Robert’s Rules the vote is up or down, there is no discussion. Smith then made his motion that failed for lack of a second.

PUBLIC INPUT

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

- Clinton Gray**
- Theresa Proper**
- Bryan Bonham**

There was no further public input.

Scannell summarized his understanding of the direction to staff as follows: The former action was rescinded; the follow-up action being proposed is to draft a letter to the business owner on Parcel 69, Canyon Wood Supply; inquire as to whether or not they have a valid business license operating in the Town of Camp Verde, a yes or no; is not, ask them to bring themselves into compliance with the business license ordinance; that will result in a referral to the Community Development Department for a review of the zoning; that will ultimately serve as a determining factor in whether the activity on that particular site is acceptable. We would take the data that was gathered, return to the Council at the next business meeting following completion of our research, and share with the Council the data collected. The Council will then make the decision about how best to proceed.

- 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**

Scannell reported on revisions that have been made to the Town's Policy Manual regarding notification to people, businesses or individuals, with respect to issues to be discussed on agendas that may affect those persons or businesses.

Barber announced that placement of the bathroom is under way; there will be a party on March 28th.

17. Adjournment

On a motion by Hauser, seconded by Kovacovich, the meeting was adjourned at 8:51 p.m.