

AGENDA



**REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, May 18, 2005
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption of tonight's meeting.

2. **Roll Call**

3. **Pledge of Allegiance**

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) May 19, 2005 – Joint Work Session
- 2) May 19, 2005 – Budget Work Session
- 3) May 5, 2005 – Special Session
- 4) May 4, 2005 – Regular Session
- 5) April 27, 2005 – Regular Session

b) Set Next Meeting, Date and Time:

- 1) Council Hears Planning & Zoning – May 25, 2005 at 6:30 p.m.
- 2) Regular Session – June 1, 2005 at 6:30 p.m.
- 3) Regular Session – June 15, 2005 at 6:30 p.m.
- 4) Council Hears Planning & Zoning – June 22, 2005 at 6:30 p.m.

c) Possible approval of Resolution 2005-641, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, opposing Strengthening America's Communities Initiative, President Bush's proposal to consolidate 18 Federal Programs and possible approval of the cover letter to be sent with the Resolution to state and federal representatives.

d) Possible acceptance of Perry Haddon's resignation from the Planning & Zoning Commission.

e) Possible approval of proclamation declaring the week of May 15 through May 21, 2005 as *National Police Week*.

f) Possible approval of the Chamber of Commerce quarterly drawdown in the amount of \$11,250 for the fourth quarter ending June 2005.

g) Discussion, consideration, and possible approval of Resolution 2005-640, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona authorizing submission of said resolution with the application for the 2005 Growing Smarter Planning Grant Program, and committing 50% matching funds. There is \$15,000 budgeted for the General Plan in the FY05-06 Budget.

Public Participation:

Public Input is encouraged on matters that are not administrative in nature. If you wish to address the Council during this meeting, you **MUST** complete a **Speaker Request Form** in its entirety, and submit it to the Clerk as soon as possible. Your name will be called when it is your turn to speak. Forms are available at the door and on the podium.

Public participation enables the public to address the Council about an item that is NOT listed on the agenda. However, state law prevents the Council from taking any action on items that are not listed on the agenda, except to respond to criticism made by those who have addressed the public body, ask staff to review a matter, or ask that a matter be included on a future agenda.

*Remarks are limited to **five minutes** per item to allow everyone the opportunity to speak.*

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

Councilor Baker requested item #6.

6. **Northern Arizona Council of Governments (NACOG) Executive Director Ken Sweet will be present to discuss NACOG's 30th Anniversary Celebration and to describe the services and programs that NACOG provides.**
7. **Discussion, consideration, and possible award of bid for Project 04TOCV04, Camp Verde Unified School District #28 Adjacent Ways Detention Pond Project, in the amount of \$23,326.**
8. **Discussion, consideration, and possible approval of an amendment to Out of Africa Wildlife Park's approved site plan to place a 96 square foot freestanding sign.**
9. **Discussion, consideration, and possible approval of Resolution 2005-642, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the preliminary plat 2005-03 for the purpose of developing Phase 1 of Gateway Commercial Complex, a commercial subdivision on parcel 403-21-015E consisting of approximately 9.89 acres and 8 lots. The location of the project is off SR 260 accessed by Wilshire Road and Moonrise Drive.**
10. **Discussion, consideration, and possible approval of Resolution 2005-643, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting Final Plat 2005-04 for Gateway Commercial Complex subdivision located on 9.89 acres consisting of parcel 403-21-15E. This project is located off of SR 260 accessed by Wilshire Road and Moonrise Drive.**
11. **Discussion, consideration, and possible award of bid for the purchase of 26 picnic tables for the Ramada and other parks. The low bid was \$13,021.16, which exceeds the CIP budgeted amount of \$12,000.**
12. **Discussion, consideration, and possible approval of a \$2,500 donation to the Camp Verde Senior Citizen's Center to be used for paint, tile, door repair, and landscaping supplies. This is an unbudgeted amount from the General Fund contingency.**
13. **Discussion, consideration, and possible direction to staff to go out to bid for a Sewer Master Plan along SR 260 from the Sanitary District Boundary to Steve Coury. This is an unbudgeted item from the Yavapai Apache Nation's donations for infrastructure and economic development activities.**

Councilor Teague requested item #14

14. **Discussion, consideration, and possible approval Town Regulations and Procedures regarding the handling and etiquette of the American Flag.**

Councilor Baker requested item #15

15. **Discussion, consideration, and possible approval to change the Town's logo from 'Arizona's Territorial Town' back to 'Gateway to the Verde Valley'.**

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

There will be no Public Input on the following items:

17. **Advanced Approvals of Town Expenditures**

18. **Manager/Staff Report**

19. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

20. **Adjournment**

Posted by: *Olson*

Date/Time: *5-13-05* *9:15 a.m.*

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

**MINUTES
JOINT WORK SESSION
MAYOR and COMMON COUNCIL
and the PLANNING & ZONING COMMISSION
of the
TOWN OF CAMP VERDE
WEDNESDAY, MAY 19, 2005
4:30 P.M.**

1. **Call to Order**

Mayor Dickinson called the meeting to order at 4:30 p.m.

2. **Roll Call**

Mayor Dickinson, Vice Mayor Reddell, Councilors Baker, Gioia, Kovacovich, Parrish, and Teague were present. P&Z Commissioners Ron Smith and Rob Witt were present. Commissioner Matt Morris was present as a representative of Casa Verde Consulting.

Also Present:

Mike Gardner, Casa Verde Consulting, Community Development Director Will Wright, and Town Clerk Deborah Barber

3. **Discussion with Casa Verde Consultants concerning:**

a. **Planning & Zoning Ordinances and the revisions necessary to comply with the General Plan**

b. **Development of a Commercial Design Review Policy**

The discussion led to a consensus that Camp Verde wishes to retain a small town character that reflects its rural, western heritage. Casa Verde Consultants will prepare a scope of work based on the discussion and bring a proposal back for Council approval. The proposal will focus on starting Sections 108 and 109 to simplify them and to bring them into compliance with the General Plan. Casa Verde Consultants will also prepare a design review policy for commercial and subdivision development. Staff will apply for a grant to assist with the revisions of the P&Z ordinances.

4. **Adjournment**

On a motion by Baker, seconded by Teague, the meeting was adjourned at 6:00 p.m.

Mitch Dickinson, Mayor

Deborah Barber, Town Clerk

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the discussion of the Mayor and Common Council of the Town of Camp Verde during the work session meeting of the Town Council of Camp Verde, Arizona, held on the 11th day of May 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
BUDGET WORK SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
WEDNESDAY, MAY 19, 2005
2:30 P.M.**

1. **Call to Order**

Vice Mayor Reddell called the meeting to order at 2:30 p.m.

2. **Roll Call**

Vice Mayor Reddell, Councilors Baker, Gioia, Kovacovich, Parrish, and Teague were present. Mayor Dickinson arrived at 4:00 p.m.

Candidates Brenda Hauser, Robert Johnson, and Helen Zimmerli were present.

Also Present:

Town Manager Bill Lee, Finance Director Dane Bullard, Marshal Dave Smith, Parks & Recreation Director Lynda Moore, and Town Clerk Deborah Barber

3. **FY 2005/06 General Fund Operating Budget**

Finance Director Dane Bullard explained that the budget was balanced and included a 5% across-the-board Cost of Living Adjustment for all employees. He advised that increases are expected in the health insurance and retirement costs, and that the revenue estimates were calculated on the latest available revenue projections.

Council discussed the Marshal's Office budget with Marshal Smith. There were no changes to the budget submitted as Smith reviewed each line item. Smith advised that though there was no request for additional positions, the budget did include promotions to the new to Detective and Lieutenant positions.

Director Moore covered the Parks, Janitorial Services, Building-Town Hall, Maintenance, Buildings – Community Center, and Pool budgets. Moore noted that they were requesting a part-time janitor position and moving a part-time maintenance position to full-time. Moore made the following changes: Training - \$5,000; Travel - \$2,500; Office Supplies - \$3000; and Equipment - \$3,500.

Council asked the Finance Director to prepare the next budget draft to show payment of the overtime owed to the Parks and Maintenance staff. In addition, Council requested that the Parks & Rec Director link future overtime to the corresponding Special Event that required the overtime.

4. **Adjournment**

On a motion by Baker, seconded by Teague, the meeting was adjourned at 4:20 p.m.

Mitch Dickinson, Mayor

Deborah Barber, Recording Secretary

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the discussion of the Mayor and Common Council of the Town of Camp Verde during the work session meeting of the Town Council of Camp Verde, Arizona, held on the 11th day of May 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
COUNCIL CHAMBERS
Wednesday, May 5, 2005
11:30 A.M.**

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

1. Call to Order

Mayor Dickinson called the meeting to order at 11:30 a.m.

2. Roll Call

Mayor Dickinson and Councilors Baker, Gioia, Kovacovich, Parrish, and Teague were present. Vice Mayor Reddell was absent.

Also Present:

Town Attorney Bill Sims was present telephonically and Town Clerk Deborah Barber

3. Discussion with and possible direction to the Town Attorney regarding the application and implementation of the Town's Citizen Complaint Procedure to recent complaints and inquiries and possible additional direction to the Town Attorney to modify the Town's Citizen Complaint Procedure.

Mayor Dickinson introduced the item. On a motion by Baker, seconded by Kovacovich, the Council voted unanimously to go into Executive Session for legal advice regarding this item.

The meeting was recessed at 11:31 a.m. and reconvened at 12:11 p.m.

Mayor Dickinson announced for the record that Council received advice from Tom Kelly and Bill Sims concerning Cheri Wischmeyer's complaints against two department heads. He stated that Council is aware of policy problems and that many of these problems had been corrected or would be corrected shortly. He advised that Council directed Attorney Sims to improve the Citizen Complaint Procedure. He further noted that Council has been aware of the issues for quite some time and felt it fair to say that this Council perceives that there has been no criminal intent or financial gain on the part of any of the parties involved and therefore, 'No Harm, No Foul'. Dickinson stated that based on legal advice, the Council directed the attorney to forward all four complaints to the County Attorney for investigation.

4. Adjournment

On a motion by Teague, seconded by Parrish, the meeting was adjourned at 12:14 p.m.

Mitch Dickinson, Mayor

Deborah Barber, Town Clerk

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 special session of the Town Council of Camp Verde, Arizona, held on the 6th day of May 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, May 4, 2005
at 6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Dickinson, Vice Mayor Reddell, Mayor-Elect Gioia, Councilors Baker, Kovacovich, Parrish and Teague were present.

Also Present:

Town Attorney Sims, Town Magistrate McElhane, Asst. Parks & Rec Director Moore, Council Candidate Ron Smith, P&Z Commissioner Bullard, Town Clerk Debbie Barber and Recording Secretary Margaret Harper; Town Manager Lee arrived at 6:44 p.m.

3. **Pledge of Allegiance**

The Pledge was led by Councilor Teague.

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) April 20, 2005 – Regular Session

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

1) Budget Work Session – May 11, 2005 at 6:30 p.m.

2) Regular Session – May 18, 2005 at 6:30 p.m.

3) Council Hears Planning & Zoning – May 25, 2005 at 6:30 p.m.

c) **Possible approval of Application for Extension of Premises/Patio Permit for the Valley View Restaurant.**

d) **Possible approval of contract with Larry W. Howell, adding him to the Magistrate's Court Bailiff Pool.**

On a motion by Reddell, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the changes setting a meeting for May 6th, and then starting at 2:30 on May 11th.

The Council discussed the need for changes to the schedule of meetings, and agreed to set a 20-minute Executive Session with Attorney Sims via telephone for Friday, May 6 at 11:30 a.m.; and change the format of the Budget Work Session scheduled for May 11, 2005 to cover the period from 2:30 p.m. to 6:30 p.m., working with one department at a time.

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

There was no public input.

(NOTE: Items 11.a and 11.b were heard prior to the following agenda items, with Item 6 heard following Item 11.)

6. **Discussion, consideration, and possible approval to retain Economists.com to develop a long-term rate and financial plan related to the potential acquisition of the Camp Verde Water System.**

On a motion by Gioia, seconded by Reddell, the Council unanimously approved the funding of the Economists.com proposal to research our water system and supply Council with that information.

Town Manager Lee said that Economists.com is a group headed by Dan Jackson, based out of Texas. Evaluations need to be done on the Water Company and that group is familiar with that type of work. They have worked well with Cottonwood, and they have been recommended to Camp Verde by WIFA as well. The Council is being asked for approval to hire them so that the Town can get moving on exploring the Water Company lease. Council was advised that the Water Company has no objection to providing the information that Economists.com will require in order to develop the proposed plan. Two grants have been applied for in connection with water; the Town will only be eligible for one, and the one receiving the highest rating will probably be chosen. WIFA had recommended applying for both at the same time.

7. **Discussion, consideration, and possible authorization to request bids for a Track Filing System for the Magistrate Court.**

On a motion by Baker, seconded by Gioia, the Council unanimously authorized Judge McElhaney to request bids for a Track Filing System for the Magistrate Court using the Local JCEF Funds, not to exceed \$12,000.

Town Magistrate McElhaney explained that the Track Filing System had previously been included in the CIP projects but was removed because of the urgency of the need and the immediate availability of the JCEF funds. McElhaney itemized the number of court cases filed last year amounting to a 48% increase over the previous year. He is requesting authorization to use the Local JCEF Fund; they will also apply for a grant. There will be no cost to the Town. The Track Filing System will be removed and installed in the new court facility when that is completed.

8. **Discussion, consideration, and possible direction to staff to work with the Main Street Merchants regarding funds raised from the Main Street Stampede.**

On a motion by Dickinson, seconded by Gioia, the Council unanimously withdrew the resolution that previously directed the Parks & Recreation Director on the Main Street system, and directed the Director to deal with the Main Street Merchants in the way that was discussed.

Director Moore said that last August the Council had directed her to work with the Townsite Redevelopment Committee on the question of using the funds from the Main Street Stampede. Since that time the Main Street Merchants committee has been formed. They meet at least twice a month. The purpose of the Stampede was to help the merchants. Moore believes that working through the merchants would be a much better option than the Redevelopment Committee and she is requesting permission to work with the Main Street Merchants group instead. The Council agreed that such a switch would be a logical move. There was some discussion regarding the profit realized from last year that is still being held, as well as the approximate amount to be added from this year for an approximate total of \$8,000. The Council also discussed with Moore some options regarding the use of the funds to benefit the merchants.

9. **Discussion, consideration, and possible approval of a property boundary and topographic site survey of the Regional Park at a cost of approximately \$11,376.00.**

On a motion by Teague, seconded by Baker, the Council unanimously approved the property boundary and topographical site survey of the Regional Park at a cost of approximately \$11,376.00.

Town Manager Lee reviewed the effort of the Town for a number of years to acquire the 223 acres of property at the air strip site for the Community Park which may happen as early as this coming October. Some boundary and topo work will be needed for that area and will eventually have to be done. The school is purchasing 80 acres adjacent to that park site and is having it flown for the boundary and topo markers. The school has invited the Town to piggy-back on their bid for that work, thus reducing the cost for both entities. The environmental and archaeological sites would probably not be specifically included, but those sites would more than likely be identified on the topo. The biggest advantage of the proposal would be the help with the

topography, and it will also determine the markers for the corners of the property. The legal description was prepared some time ago and some of those markers may still remain.

10. **Discussion, consideration, and possible direction to staff to pursue funding from the ADOT Small Area Transportation Study Program to fund a transportation study that will become a locally approved transportation plan and an element in the General Plan.**

On a motion by Reddell, seconded by Gioia, the Council unanimously directed staff to pursue funding from the ADOT Small Area Transportation Study Program to fund a transportation study that will become a locally approved transportation plan.

Lee explained that staff was recently made aware of the subject program by an individual from ADOT. The amount for the 20% match could come out of the HURF Contingency dollars to help the Town plan for applying for Federal funds to use for some other roads that are not already on the system. The SATS Program is on a first-come, first-served basis so the sooner the Town commits the sooner it will receive their assistance.

Council questioned whether the program would require forming a committee among the communities and appoint a staff member. Lee confirmed that that would be a part of what ADOT would be helping to do, putting together a committee and helping with the research needed to be able to get the roads on the system. The Town is eligible for funding for some of the side roads since they are connected to I-17 and 260, which run through the community. Each community is eligible to apply separately and get the help from ADOT. The Council reviewed the provisions set forth in the letter confirming that one staff member will be on the Technical Advisory Committee. Response to initiate the process as soon as possible should put the Town at the top of the list for the program.

11. **Discussion, consideration, and possible direction to the Town Manager and the Town Attorney to report back to the Council regarding recommendations concerning procurement and other authority delegated to the Town Manager under the Town Code.**

There was no action taken.

The Town Manager and Town Attorney were directed to report back to the Council with recommendations on the Town procurement policy under the Town Code as discussed, including a review of those who report to the Manager and the Council.

The Council discussed the subject agreeing that it is an issue that they have been dealing with recently, and that it is time that some Camp Verde Code should be brought up to date. The Personnel Policy and Marshal's Office Policy have been addressed, and it is time for the Council to look at its policies as well. Keeping up with the times, the Manager's Office should have authority to expend funds well above the conflicting amounts from \$500 to \$1,000 set forth in separate sections. There was also an opinion expressed regarding having one employee reporting to the Council, and that would be the Manager.

Attorney Sims reviewed the previous request from the Council to work with the Town Manager to draft recommendations, citing issues that guidance is needed from the Council, such as authority of the Manager, making sure that authority is properly procured, and how implemented. Most of the Council's colleagues around the State would not have the elected officials dabbling in the implementation because of then requiring a public meeting no matter how trivial the issue. The Council protects the taxpayer through the process of budget work sessions. The existing code totally errs because on procurement for building public works it refers to applying the more stringent State law which since first drafting the code has become far more flexible, allowing a governmental entity to build public works. Sims outlined other areas in which the existing code creates problems for the Town, changes in which could save the taxpayers money. The main areas to be looked at principally are procurement, bidding, and implementation. Sims said that

the suggestion regarding who reports to the Council could also be reviewed; normally all departments would report to the Manager.

11.a Discussion, consideration, and possible approval of a letter to Senator Bennett concerning the Town's position on the proposed SR 260 project.

On a motion by Gioia, seconded by Reddell, the Council unanimously approved the letter to Senator Bennett re State Route 260 and the consensus points.

A call was received Monday from Supervisor Davis that it would be advisable for the Town to draft a letter concerning the consensus points that were agreed upon at the last meeting; a copy of the letter is provided for review. The issue of what was referred to as the extremely busy and dangerous Horseshoe Bend intersection was briefly addressed. The understanding from the last meeting is that ADOT is now willing to design SR 260 from I-17 out to the Steve Coury area as an urban highway rather than a rural highway as had been previously considered. There is still much discussion ahead regarding locations of left turns across the median. At this point the letter should solidify the region's position on needing access and allow ADOT to feel comfortable with proceeding on the issue. The Access Management Plan will be more of the arena to carry on the debates on determining access points; left turns could be made across the median when development occurs, but that is yet to be determined. There will be no interchanges, only flat intersections. The letter solidifies the intent for the Access Management planning and that 260 will remain within the footprint of 260.

11.b. Discussion, consideration, and possible appointment of two (2) representatives to serve on behalf of the Town in future meetings concerning the SR 260 project.

On a motion by Baker, seconded by Reddell, the Council unanimously appointed Bill Lee, Town Manager, and Will Wright, Community Development Director, to be the Town's representatives in the ongoing and future Highway 260 discussions and the Access Management Plan.

The idea of appointing the representatives from every entity, including the Town, Fire District, Marshal, and Yavapai-Apache Nation was also discussed at the last meeting and intended to streamline the process once consensus was apparently reached between the 40 to 50 people at every meeting. It was suggested that the Town Manager and Community Development Director be appointed as the Town representatives, with an alternate suggestion to appoint the Manager and a member from the P&Z Commission. The representatives will be taking direction from the Council and reporting back to keep the Council advised. There was some discussion about representation from the property owners' group; it was understood that they are comfortable with working with the Council to have their voices heard. There will also be public hearings during the Access Management Plan process. It was generally agreed that Bill Lee and Will Wright would be the logical candidates for appointment because of the information flowing through their respective departments that can be shared with each other, as well as familiarity with the issues. The letter will be sent to Supervisor Chip Davis' office to be included with the others and sent on.

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

There was no public input.

13. Advanced Approvals of Town Expenditures

a. Discussion, consideration, and possible approval of payment in the amount of \$850.00 to Arizona Rural Water Association for the annual membership dues.

On a motion by Dickinson, seconded by Baker, Item 13.a was tabled until further information is received.

On a motion by Dickinson, seconded by Reddell, the Council unanimously approved the expenditure of funds to replace the heater in the pool.

It was agreed that although the Town had been a member of Arizona Rural Water Association in the past, the Council would like to have a representative from that group give a presentation with more information on which to base a decision to join; Lee will also provide the Council with information received from Doug Nelson. The item was tabled in the interim.

14. **Manager/Staff Report**

There was no Manager/Staff Report.

15. **Council Informational Reports**

Reddell said that the financial statement shows that the Town is still plus-\$1 million in the General Fund and \$863,000 in the Contingency Fund on the roads department, still above the line.

Dickinson announced that plans and bid packages are available for contractors to begin work on proposals for the Marshal's Office; it is a good project for the community and is moving forward.

Gioia reported on a visit he had yesterday from a hydrologist from the USGS Denver Office who has been working on a number of issues involving the headwaters of the Verde River. Her report titled "Geologic Framework of the Verde River Headwaters" will be at Water Protection Fund May 25th for review.

16. **Adjournment**

On a motion by Teague, seconded by Baker, the meeting was adjourned at 7:39 p.m.

Mitch Dickinson, 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 meeting of the Town Council of Camp Verde, Arizona, held on the 4th day of May, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
COUNCIL HEARS PLANNING AND ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, APRIL 27, 2005
at 6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Dickinson, Vice Mayor Reddell, Councilors Gioia, Kovacovich, and Parrish were present; Councilors Teague and Baker arrived at 6:32 p.m.

Also Present: Community Development Director Wright, Sr. Planner Nancy Buckel, P&Z Commissioner Jim Bullard, Council Candidate Robert Johnson and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by Mayor Dickinson.

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 – April 20, 2005 (5:30 p.m. meeting)
 - 2) Special Session – April 20, 2005 (8:30 a.m. meeting)
 - b) **Set Next Meeting, Date and Time:**
 - 1) Regular Session – May 4, 2005 at 6:30 p.m.
 - 2) Budget Work Session – May 11, 2005 at 6:30 p.m.
 - 3) Regular Session – May 18, 2005 at 6:30 p.m.
 - 4) Council Hears Planning & Zoning – May 25, 2005 at 6:30 p.m.

On a motion by Gioia, seconded by Reddell, the Consent Agenda was unanimously approved with the following correction: Special Session Minutes of April 20, at 8:30 a.m., those also present, "Billy Carter" should be Billy Gardner.

5. **Call to the Public for Items not on the Agenda.**
George Young apologized to the Council and to the general public for problems with taping the meeting last week caused by several factors including travel and last-minute stress resulting in loss of portions of the meeting; out of about a 3-hour meeting he ended up with one hour and 33 minutes. Mr. Young assured the Council he does not edit the program; last Wednesday and Sunday were not good days for him, and he again apologized to those who wondered what had happened.

- 5.a **Discussion, consideration, and possible approval of Resolution 2005-639, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.**
On a motion by Reddell, seconded by Gioia, the Council unanimously approved Resolution 2005-639, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

Community Development Director Wright said that the proposed Resolutions were required in order to authorize staff to submit the grant application that occurred last week. The grant submission indicated that the resolution would be forthcoming; the intent was to obtain monies from WIFA to perform some master planning on the Sanitary District and evaluate the water system. It was felt that everyone would be in agreement with that. Director Wright added that the individual executing the grant will be identified as "the Mayor."

Gioia requested that Section 2 of Resolution 2005-639 provide for signature by "the Mayor" instead of by Mitch D. Dickinson, Mayor; it was confirmed that the Resolution had been amended to reflect that change.

5.b. Discussion, consideration, and possible approval of Resolution 2005-638, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

On a motion by Gioia, seconded by Baker, the Council unanimously approved Resolution 2005-638, a resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

Director Wright said that this item was self-explanatory; it involves work being done in preparation for working with the Water Company for lease and future acquisition purposes.

Council agreed that this was a necessary step that would show due diligence; whether lease or purchase it is the wise thing to do, and staff was commended for working on finding outside funding.

6. Discussion, consideration, and possible approval of Resolution 2005-628, a Resolution of the Town Council of the Town of Camp Verde, Arizona approving the General Plan Amendment 2005-02 that amends the Land Use Map of the General Plan for parcel 404-30-029D Medium Density Residential to High Density Residential. This amendment is to accommodate the rezoning of the parcel to Multi-dwelling Residential.

On a motion by Dickinson, seconded by Reddell, the Council by a 6-1 vote approved Resolution 2005-628, as presented; with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright reviewed the request for a General Plan amendment for a 2.41-acre parcel owned by Keith and Anna Turley who need a higher land use designation in order to proceed with a proposed high-density development of a duplex configuration/patio homes project on the subject parcel. The P&Z Commission did recommend approval of the request, but had some concern over the lack of a conceptual plan to review in that, although there was no opposition expressed, perhaps the public did not know what they were getting into. The surrounding area is served by both water and sewer; it is anticipated that that would allow for the higher density. Staff has not noted any problems with the idea of the higher density type of development. The development would seem to serve the area well in terms of possible affordable housing opportunities.

PUBLIC HEARING OPEN

Applicant's Statement

Rob Witt, a realtor representing the applicant, pointed out what he had observed was interest from several out-of-state individuals in buying property in Camp Verde. He also reviewed the reference in the General Plan to the need for affordable housing, and the more than doubling of housing prices over the last few years. Mr. Robb also reviewed the main factors in the proposed development which he believes comply with significant criteria in the General Plan. He said that they attempted to talk to every neighbor in the area, found no opposition at all, and received 13 signatures of those in support. The applicant wants to do very positive things for the Town; he has offered to pave Nichols, add a sidewalk to the road, and install an 8-inch sewer line to replace a 4-inch line in one area that will also benefit other properties. There are several engineering issues that must be addressed before a conceptual plan can be presented; Mr. Robb briefly described the concept being considered using high-pitched roofs and front porches to fit into the Western environment.

COMMENTS FROM OTHER PERSONS

Clayton Young said that he and his mother-in-law who owns property just north of the project both oppose it; they have not had anyone contact them to talk about the change. The property has been in his wife's family for over 100 years. They want the area to remain as it is, and do not like the idea of the high density.

Robert Johnson complained that the density was being doubled on a neighborhood, amending the General Plan shortly after it has been ratified. He said that this Council would take the General Plan, bend it,

mutilate it, fold it and amend it any time a developer wanted to. He said he is definitely against this amendment and project.

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Applicant's Rebuttal

Mr. Witt apologized to those who said they had not been contacted. He reviewed the location and names of some of the people who supported the project, claiming a significant amount of support.

PUBLIC HEARING CLOSED

Council Discussion

The Council expressed objection to the assertion regarding "mutilating" the General Plan and reminded the public that people have the right to request consideration of development and the Council approves some and denies others; that is simply the Council's job to hear and review the issues brought to it through the proper procedure. The water will be provided by the Camp Verde Water System, and it was confirmed that the supply would be adequate. There was also concern about some of the individuals not having been contacted by the applicant's representatives. The Council also discussed with staff and Mr. Witt the proposed number of housing units, and there was further discussion regarding the reference to affordable housing and the perceived severe impact on the area by the increase in density. There was also some objection to an amendment to the General Plan that was just adopted. The Council generally agreed that the project made sense, it could actually improve surrounding property values, the housing is needed and would be an infill. Mr. Witt confirmed that the developer planned to use the existing well only for landscaping. Liability regarding the ditch on the property, and issues of drainage and existing water rights were discussed. The applicant would be willing to convey water rights to the Town; however, it was confirmed that there is no water, no irrigation on the property. Regarding future zoning change applications, there was a suggestion that staff provide copies of the particular applicable sections of 109 as attachments to the agenda for the public on the website.

7. **Discussion, consideration, and possible approval of Ordinance 2005-A305, 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 404-30-029D consisting of approximately 2.4 acres from R1L-35 to R2-2. This rezoning is to allow for the development of a residential complex at 485 S. Nichols Street.**

On a motion by Dickinson, seconded by Baker, the Council by a 6-1 vote approved Ordinance 2005-A305 as presented, with the stipulations as stated in the Staff Report, except for deletion of No. 3, the trail system on the ditch; and add that a 50-foot right-of-way on Nichols Street be provided; that Nichols Street be paved to existing pavement on Fain; that one side of the road be provided with a walkway to tie into the Main Street sidewalk; that the developer install 8-inch sewer line and extend the sewer line to the property line as stated for the neighboring property owner; that the designs be design-reviewed by the Community Development Department; that the structures be one-story; and that all of the foregoing stipulations be included as deed restrictions on the property; with a 'no' vote by Gioia.

STAFF PRESENTATION

Director Wright said that the zoning map change coincides with the General Plan amendment just reviewed. Much of the discussion overlapped to include some of the items encountered with the change in density for the proposed project. There were issues pointed out by the Streets Department. The preliminary and final plats that will be coming before the Council will look at the project in much more detail as to drainage, type of roadway and the petition for a trail as part of the project. The P&Z Commission reviewed the project and recommended approval based on several stipulations including design review, limit to one-story per structure, pedestrian right-of-way along the ditch, and that the stipulations be included as a deed restriction.

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Rob Witt displayed a slide that showed the properties of neighbors who were in support of the project; however, one of the signatures had been eliminated, leaving only 12 in support. Mr. Witt stressed the improvements that the applicant is willing to provide; in summary, Mr. Witt said the General Plan was just

amended, the General Plan supports the concept, the community needs the project, there is significant support, and it will be an improvement to the designated area.

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Robert Johnson shared his comfort with anger and expressing it when he feels it. He said that he has respect for Vice Mayor Reddell as a person, but not as a councilman. He apologized for those who may have felt hurt by his earlier display of anger, explaining that his family all spend a lot of time yelling at each other. Mr. Johnson said that the Mayor sounds like he's giving a speech for the Home Builders Association, and everyone knows where he stands on this thing and where he has always stood.

Steve Beach said he has already said what he had to say, but another concern along the ditch is the amount of wildlife and what effect the building would have on that wildlife.

Mary Grant questioned whether the project was for low-income people, and what the homes would sell for; she was assured that the notion was only put out as food for thought, more will be known as the development comes forward. Ms. Grant again said she was opposed and was concerned about kids playing up and down the ditch and that any wall constructed would not be child-proof.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

The Council addressed the fact that there would be no place to have a hiking trail in the area of the ditch; the easement on the ditch is only for the purpose of maintenance. The question of the number of units was again reviewed, and again a suggestion made that it would be helpful to have at least a drawing of a conceptual of the buildings and the lay of the land before a zoning change is considered. It was confirmed that the application would be willing to consider the requested stipulations including design review, the one-story buildings, perhaps a setback on the ditch for the wildlife, widening the street, and the sidewalk. The Council questioned the requirement for a trail in the suggested location and agreed there would be related liability and maintenance issues. The issue of requiring a conceptual design and whether that would be resolved by the proposed design review was discussed with Director Wright. Wright proposed that the consultant firm employed to reconcile the General Plan with the Planning & Zoning Ordinance might be asked to also look at the question of requiring a conceptual design to see if that would be feasible. There was further discussion on possibly requiring a conceptual in every case, requiring considerable preliminary expense for the applicant with no assurance of being granted the zoning change.

8. **Discussion, consideration, and possible approval of Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.**

On a motion by Reddell, seconded by Parrish, the Council unanimously approved Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.

STAFF PRESENTATION

Director Wright explained that Mr. Kilby is requesting the zoning map change from Residential Services-35 to Commercial C2-4 density. The parcel is along Montezuma Castle Highway adjacent to Beto's where the owners currently have their realty office. There was considerable discussion about the activities allowed under the C2 zoning, and the Commission stipulated that there be no mini-storage units. Mr. Kilby assured the Commission that that would not happen, and has agreed to a design review type of process to insure maintaining a certain aesthetic value along that roadway. With that stipulation the Commission recommended approval of the request, and no one has spoken against the change. Most of the surrounding property is zoned C2, and staff sees no problem with granting the change.

PUBLIC HEARING OPEN

Applicant's Statement

Harold Kilby said that the General Plan shows the parcel as commercial, and at this time they are not planning anything other than improving the realty office, and the zoning change will allow putting better signage up.

COMMENT FROM OTHER PERSONS

There was no comment from other persons.

REBUTTAL

There was no rebuttal necessary.

PUBLIC HEARING CLOSED**Council Discussion**

The applicant confirmed that the septic system was adequate, and sewer availability was also confirmed. The Council generally agreed that it would be appropriate for the property to continue with commercial use, and confirmed that the stipulation precluding mini-storage was included in the proposed ordinance.

9. **Discussion, consideration, and possible approval of Ordinance 2005-A2307 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 403-23-151 consisting of approximately +/- 33.09 acres from RCU-2A to C3. This rezoning is to allow for commercial activity along SR 260 near Dougs Park Road.**

On a motion by Reddell, seconded by Teague, the Council unanimously approved Ordinance 2005-A307, limited to the 17.67 acres on the west side of Hwy 260 backed by Prescott National Forest, and on the south side as Arizona North property, with the zoning to be changed from RCU-2A to C-3 zoning, subject to design review; zoning is not being changed on the east side of Hwy 260, until later presented to Council after issues of development and drainage are addressed.

STAFF PRESENTATION

Director Wright said that the application for a zoning change again along Hwy 260, with the parcel bisected fairly evenly by the highway, from RCU-2A to C-3, which is commercial/light industrial zoning. On the west side of 260 the property abuts the area that AZ North had recently petitioned the Council for rezoning that was granted. On the other side, because of the proximity to residences and other factors, when the Commission met and reviewed the request it recommended that Council approve the zoning map change request as long as the project would go through design review, and that they were assured that there would be an increased 50-foot buffer on the east side of the parcel along those residences, in addition to the 60-foot roadway through the area for a total of approximately 110 feet. The neighbors had expressed concern over the potential commercial uses.

PUBLIC HEARING OPEN**Applicant's Statement**

Rick Reed explained that when the 33 acres were purchased, the portion they were more interested in was the area that had fewer issues and no residences. He understands those issues that need to be addressed. Mr. Reed said that they would not be opposed to some kind of a buffer, perhaps low-density multi-family, maybe duplexes, with garages. He reviewed in some detail the problems with the wash, drainage and other possible issues concerning the residents, and acknowledged that there were problems that need to be addressed before moving forward. Mr. Reed said they would also not be opposed to moving the easement related to Doug's Park Road, whatever works for everybody.

COMMENTS FROM OTHER PERSONS

Jim Hisrich said that if the change is approved, things are going in a direction that the neighbors are not happy about, and he asked the Council to not favoring the change. They have not been able to get together with the owners to discuss the change. He is not challenging the knowledge of the Council as to the General Plan, and knows that it is the growth area, and property just to the north is zoned R2 as a buffer zone to protect properties right beyond that. The proposed C3 zoning comes right up against the residential zoning, not an effective buffer. Mr. Hisrich said that he believes no one has any objection to what happens on the west side of 260, and also commented on the wildlife existing in the wash area. He wants the area to remain residential, and to protect where they live. Mr. Hisrich requested a strict buffer from the wash as it exists and east to Doug's Park Road, and any development being residential.

Perry Haddon, a member of the P&Z Commission, said that he is speaking as an adjacent property owner. He said that everyone who comes to his house comments that the area is the best-kept secret in Camp Verde, and he described his 20 acres on the river with an orchard, and the neighbor's pond, saying it is a great place to live and they enjoy a great quality of life. Mr. Haddon said that C3 zoning is the heaviest use that is available, and believes that a softer zoning might be more appropriate. He said he believes owners have a right to work with the properties that they buy, but C3 is pretty severe, although it is probably appropriate along the highway. On the east side the creek or wash is a natural buffer and should be the

delineation point. The residents would like to see the zoning remain residential on their side, at least from the buffer point. He respects the difficult decision before the Council, but the outcome affects not only him but all of the neighbors who are all terribly concerned about how the view from their front doors could change to a fence with razor wire on top and junkyard dogs inside, as an extreme.

Richard Allen said he would be speaking from the heart and described where his home is. He enjoys livestock, and he named the different animals he raises on his property. Not only that, there is livestock all around. Mr. Allen said he was concerned about the roadway and creating a new way to get into the area. He understands someone wanting to develop their property, and on the west side of the highway he does not care what they do, even put in a Super WalMart. There is a problem on the east side from the berm on, and he described the drainage and the problem when the creek does run. There is peace and tranquility for him; the area is simply beautiful, and very few people know about it. Mr. Allen also commented on the wildlife, including an eagle that he had recently seen. Commercial activity is the last thing they need in that area. He implored the Council to look at the area closely and not make an arbitrary decision tonight.

Cindy Hisrich said she is opposed to the zoning. She and her husband chose to retire in Camp Verde after looking for a long time. They love it here, and are committed to give back to the community. She supported the school activities and sports with her children, her daughters rode horses in the Camp Verde parade with pride. Mrs. Hisrich described the horse activities on their property as well as their other pets. She also described the wildlife. Her children in college plan to come back to Camp Verde as professionals and contribute to the town. She and her husband are not wealthy, they made sacrifices to get the property, but thought it was worth it. Ms. Hisrich passed along a letter of protest from neighbors who could not attend the meeting. She has attended national horse events to watch her daughter participate and is proud to say she is from Camp Verde and be able to tell people about what a great place it is to raise a family. She hopes the Council will help them protect their property.

Rich Janssen said he has lived in the area for about 15 years; he is a supervisor at Basha's. He has four children who attend Camp Verde schools; the family is involved in 4H and they have livestock and pets on their property. Mr. Janssen understands that growth is happening and is not opposed to what is changing on the other side of the highway. His property is peaceful and quiet at night, no streets lights. He formerly lived in an area of many homes and trailers and watched his property value diminish because of the other property owners in that area, and is concerned about his current property value. Mr. Janssen wants to continue to upgrade his home and make it a nice home and property for his kids. Another concern is the wash and the problem with not being able to temporarily cross the ditch during the heavy rains. The dike serves an important function and should not be changed. He suggested that the Council members drive out and look at the area before they make any decision. He chose Camp Verde for his home, and he is afraid of what might happen to their area as far as the creek is concerned.

APPLICANT'S REBUTTAL

Rick Reed told the speakers that he totally understands what they are saying. He has seen that there are a lot of beautiful homes there. Mr. Reed said that they are really not opposed to doing some sort of residential as a buffer, and added that there is much to be done in order to make some decision. He was willing to go on record as being willing to create a buffer for residential, perhaps low-density multi-family, if the wash would permit. Mr. Reed reviewed some buffer possibilities and speculated on how to address the wash working with Flood Control, and work with ADOT in considering improvement to Doug's Park. He stressed the demonstrated responsibility of the applicant on another project, and reiterated their willingness to go on record regarding creating a buffer.

PUBLIC HEARING CLOSED

Council Discussion

The Council referred to the request to rezone the entire 33 acres to C3 and generally agreed that, based on what has been heard, the request should not be approved. It was suggested that the developer go back and split the parcel, and that a request to rezone the west side to commercial would be approved. It was agreed that there are many more steps to be taken, including drainage issues and work with the neighbors, before any change for the east side could be considered. The discussion included commending the neighbors who spoke, commenting that they have a valid point. There was some discussion about rezoning to a lower commercial zone, which Mr. Reed said they would be willing to consider. After further discussion, with full agreement by the applicant, the Council determined that rezoning only the west side to C3 at this time would be a good resolution for all concerned, and action was taken accordingly.

10. **Call to the Public for Items not on the Agenda**
There was no further public input.

11. **Advanced Approvals of Town Expenditures**
On a motion by Reddell, seconded by Teague, the Council unanimously approved the amount of \$2400 requested by the Community Development Department for repair to the 2002 Ford Ranger by B&B Transmission.
12. **Manager/Staff Report**
There was no Manager/Staff Report.
13. **Council Informational Reports**
There were no Council Informational Reports.
14. **Adjournment**
On a motion by Reddell, seconded by Kovacovich, the meeting was adjourned at 8:57 p.m.

Mitch Dickinson, 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 meeting of the Town Council of Camp Verde, Arizona, held on the 27th day of April, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
COUNCIL HEARS PLANNING AND ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, APRIL 27, 2005
at 6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Dickinson, Vice Mayor Reddell, Councilors Gioia, Kovacovich, and Parrish were present; Councilors Teague and Baker arrived at 6:32 p.m.

Also Present: Community Development Director Wright, Sr. Planner Nancy Buckel, P&Z Commissioner Jim Bullard, Council Candidate Robert Johnson and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by Mayor Dickinson.

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 – April 20, 2005 (5:30 p.m. meeting)
 - 2) Special Session – April 20, 2005 (8:30 a.m. meeting)
 - b) **Set Next Meeting, Date and Time:**
 - 1) Regular Session – May 4, 2005 at 6:30 p.m.
 - 2) Budget Work Session – May 11, 2005 at 6:30 p.m.
 - 3) Regular Session – May 18, 2005 at 6:30 p.m.
 - 4) Council Hears Planning & Zoning – May 25, 2005 at 6:30 p.m.

On a motion by Gioia, seconded by Reddell, the Consent Agenda was unanimously approved with the following correction: Special Session Minutes of April 20, at 8:30 a.m., those also present, "Billy Carter" should be Billy Gardner.

5. **Call to the Public for Items not on the Agenda.**
George Young apologized to the Council and to the general public for problems with taping the meeting last week caused by several factors including travel and last-minute stress resulting in loss of portions of the meeting; out of about a 3-hour meeting he ended up with one hour and 33 minutes. Mr. Young assured the Council he does not edit the program; last Wednesday and Sunday were not good days for him, and he again apologized to those who wondered what had happened.

- 5.a **Discussion, consideration, and possible approval of Resolution 2005-639, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.**
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Community Development Director Wright said that the proposed Resolutions were required in order to authorize staff to submit the grant application that occurred last week. The grant submission indicated that the resolution would be forthcoming; the intent was to obtain monies from WIFA to perform some master planning on the Sanitary District and evaluate the water system. It was felt that everyone would be in agreement with that. Director Wright added that the individual executing the grant will be identified as "the Mayor."

Gioia requested that Section 2 of Resolution 2005-639 provide for signature by "the Mayor" instead of by Mitch D. Dickinson, Mayor; it was confirmed that the Resolution had been amended to reflect that change.

5.b. Discussion, consideration, and possible approval of Resolution 2005-638, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing submission of a grant application to the Water Infrastructure Finance Authority of Arizona, and approving and authorizing the Mayor to execute all documents necessary for the application for and acceptance of such grant.

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Robert Johnson shared his comfort with anger and expressing it when he feels it. He said that he has respect for Vice Mayor Reddell as a person, but not as a councilman. He apologized for those who may have felt hurt by his earlier display of anger, explaining that his family all spend a lot of time yelling at each other. Mr. Johnson said that the Mayor sounds like he's giving a speech for the Home Builders Association, and everyone knows where he stands on this thing and where he has always stood.

Steve Beach said he has already said what he had to say, but another concern along the ditch is the amount of wildlife and what effect the building would have on that wildlife.

Mary Grant questioned whether the project was for low-income people, and what the homes would sell for; she was assured that the notion was only put out as food for thought, more will be known as the development comes forward. Ms. Grant again said she was opposed and was concerned about kids playing up and down the ditch and that any wall constructed would not be child-proof.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

The Council addressed the fact that there would be no place to have a hiking trail in the area of the ditch; the easement on the ditch is only for the purpose of maintenance. The question of the number of units was again reviewed, and again a suggestion made that it would be helpful to have at least a drawing of a conceptual of the buildings and the lay of the land before a zoning change is considered. It was confirmed that the application would be willing to consider the requested stipulations including design review, the one-story buildings, perhaps a setback on the ditch for the wildlife, widening the street, and the sidewalk. The Council questioned the requirement for a trail in the suggested location and agreed there would be related liability and maintenance issues. The issue of requiring a conceptual design and whether that would be resolved by the proposed design review was discussed with Director Wright. Wright proposed that the consultant firm employed to reconcile the General Plan with the Planning & Zoning Ordinance might be asked to also look at the question of requiring a conceptual design to see if that would be feasible. There was further discussion on possibly requiring a conceptual in every case, requiring considerable preliminary expense for the applicant with no assurance of being granted the zoning change.

8. Discussion, consideration, and possible approval of Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.

On a motion by Reddell, seconded by Parrish, the Council unanimously approved Ordinance 2005-A306, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcel 404-30-005C consisting of approximately +/- 1 acre from RS-35 to C2-4.

STAFF PRESENTATION

Director Wright explained that Mr. Kilby is requesting the zoning map change from Residential Services-35 to Commercial C2-4 density. The parcel is along Montezuma Castle Highway adjacent to Beto's where the owners currently have their realty office. There was considerable discussion about the activities allowed under the C2 zoning, and the Commission stipulated that there be no mini-storage units. Mr. Kilby assured the Commission that that would not happen, and has agreed to a design review type of process to insure maintaining a certain aesthetic value along that roadway. With that stipulation the Commission recommended approval of the request, and no one has spoken against the change. Most of the surrounding property is zoned C2, and staff sees no problem with granting the change.

PUBLIC HEARING OPEN

Applicant's Statement

Harold Kilby said that the General Plan shows the parcel as commercial, and at this time they are not planning anything other than improving the realty office, and the zoning change will allow putting better signage up.

COMMENT FROM OTHER PERSONS

There was no comment from other persons.

REBUTTAL

There was no rebuttal necessary.

PUBLIC HEARING CLOSED**Council Discussion**

The applicant confirmed that the septic system was adequate, and sewer availability was also confirmed. The Council generally agreed that it would be appropriate for the property to continue with commercial use, and confirmed that the stipulation precluding mini-storage was included in the proposed ordinance.

9. **Discussion, consideration, and possible approval of Ordinance 2005-A2307 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 403-23-151 consisting of approximately +/- 33.09 acres from RCU-2A to C3. This rezoning is to allow for commercial activity along SR 260 near Doug's Park Road.**

On a motion by Reddell, seconded by Teague, the Council unanimously approved Ordinance 2005-A307, limited to the 17.67 acres on the west side of Hwy 260 backed by Prescott National Forest, and on the south side as Arizona North property, with the zoning to be changed from RCU-2A to C-3 zoning, subject to design review; zoning is not being changed on the east side of Hwy 260, until later presented to Council after issues of development and drainage are addressed.

STAFF PRESENTATION

Director Wright said that the application for a zoning change again along Hwy 260, with the parcel bisected fairly evenly by the highway, from RCU-2A to C-3, which is commercial/light industrial zoning. On the west side of 260 the property abuts the area that AZ North had recently petitioned the Council for rezoning that was granted. On the other side, because of the proximity to residences and other factors, when the Commission met and reviewed the request it recommended that Council approve the zoning map change request as long as the project would go through design review, and that they were assured that there would an increased 50-foot buffer on the east side of the parcel along those residences, in addition to the 60-foot roadway through the area for a total of approximately 110 feet. The neighbors had expressed concern over the potential commercial uses.

PUBLIC HEARING OPEN**Applicant's Statement**

Rick Reed explained that when the 33 acres were purchased, the portion they were more interested in was the area that had fewer issues and no residences. He understands those issues that need to be addressed. Mr. Reed said that they would not be opposed to some kind of a buffer, perhaps low-density multi-family, maybe duplexes, with garages. He reviewed in some detail the problems with the wash, drainage and other possible issues concerning the residents, and acknowledged that there were problems that need to be addressed before moving forward. Mr. Reed said they would also not be opposed to moving the easement related to Doug's Park Road, whatever works for everybody.

COMMENTS FROM OTHER PERSONS

Jim Hisrich said that if the change is approved, things are going in a direction that the neighbors are not happy about, and he asked the Council to not favoring the change. They have not been able to get together with the owners to discuss the change. He is not challenging the knowledge of the Council as to the General Plan, and knows that it is the growth area, and property just to the north is zoned R2 as a buffer zone to protect properties right beyond that. The proposed C3 zoning comes right up against the residential zoning, not an effective buffer. Mr. Hisrich said that he believes no one has any objection to what happens on the west side of 260, and also commented on the wildlife existing in the wash area. He wants the area to remain residential, and to protect where they live. Mr. Hisrich requested a strict buffer from the wash as it exists and east to Doug's Park Road, and any development being residential.

Perry Haddon, a member of the P&Z Commission, said that he is speaking as an adjacent property owner. He said that everyone who comes to his house comments that the area is the best-kept secret in Camp Verde, and he described his 20 acres on the river with an orchard, and the neighbor's pond, saying it is a great place to live and they enjoy a great quality of life. Mr. Haddon said that C3 zoning is the heaviest use that is available, and believes that a softer zoning might be more appropriate. He said he believes owners have a right to work with the properties that they buy, but C3 is pretty severe, although it is probably appropriate along the highway. On the east side the creek or wash is a natural buffer and should be the

delineation point. The residents would like to see the zoning remain residential on their side, at least from the buffer point. He respects the difficult decision before the Council, but the outcome affects not only him but all of the neighbors who are all terribly concerned about how the view from their front doors could change to a fence with razor wire on top and junkyard dogs inside, as an extreme.

Richard Allen said he would be speaking from the heart and described where his home is. He enjoys livestock, and he named the different animals he raises on his property. Not only that, there is livestock all around. Mr. Allen said he was concerned about the roadway and creating a new way to get into the area. He understands someone wanting to develop their property, and on the west side of the highway he does not care what they do, even put in a Super WalMart. There is a problem on the east side from the berm on, and he described the drainage and the problem when the creek does run. There is peace and tranquility for him; the area is simply beautiful, and very few people know about it. Mr. Allen also commented on the wildlife, including an eagle that he had recently seen. Commercial activity is the last thing they need in that area. He implored the Council to look at the area closely and not make an arbitrary decision tonight.

Cindy Hisrich said she is opposed to the zoning. She and her husband chose to retire in Camp Verde after looking for a long time. They love it here, and are committed to give back to the community. She supported the school activities and sports with her children, her daughters rode horses in the Camp Verde parade with pride. Mrs. Hisrich described the horse activities on their property as well as their other pets. She also described the wildlife. Her children in college plan to come back to Camp Verde as professionals and contribute to the town. She and her husband are not wealthy, they made sacrifices to get the property, but thought it was worth it. Ms. Hisrich passed along a letter of protest from neighbors who could not attend the meeting. She has attended national horse events to watch her daughter participate and is proud to say she is from Camp Verde and be able to tell people about what a great place it is to raise a family. She hopes the Council will help them protect their property.

Rich Janssen said he has lived in the area for about 15 years; he is a supervisor at Basha's. He has four children who attend Camp Verde schools; the family is involved in 4H and they have livestock and pets on their property. Mr. Janssen understands that growth is happening and is not opposed to what is changing on the other side of the highway. His property is peaceful and quiet at night, no streets lights. He formerly lived in an area of many homes and trailers and watched his property value diminish because of the other property owners in that area, and is concerned about his current property value. Mr. Janssen wants to continue to upgrade his home and make it a nice home and property for his kids. Another concern is the wash and the problem with not being able to temporarily cross the ditch during the heavy rains. The dike serves an important function and should not be changed. He suggested that the Council members drive out and look at the area before they make any decision. He chose Camp Verde for his home, and he is afraid of what might happen to their area as far as the creek is concerned.

APPLICANT'S REBUTTAL

Rick Reed told the speakers that he totally understands what they are saying. He has seen that there are a lot of beautiful homes there. Mr. Reed said that they are really not opposed to doing some sort of residential as a buffer, and added that there is much to be done in order to make some decision. He was willing to go on record as being willing to create a buffer for residential, perhaps low-density multi-family, if the wash would permit. Mr. Reed reviewed some buffer possibilities and speculated on how to address the wash working with Flood Control, and work with ADOT in considering improvement to Doug's Park. He stressed the demonstrated responsibility of the applicant on another project, and reiterated their willingness to go on record regarding creating a buffer.

PUBLIC HEARING CLOSED

Council Discussion

The Council referred to the request to rezone the entire 33 acres to C3 and generally agreed that, based on what has been heard, the request should not be approved. It was suggested that the developer go back and split the parcel, and that a request to rezone the west side to commercial would be approved. It was agreed that there are many more steps to be taken, including drainage issues and work with the neighbors, before any change for the east side could be considered. The discussion included commending the neighbors who spoke, commenting that they have a valid point. There was some discussion about rezoning to a lower commercial zone, which Mr. Reed said they would be willing to consider. After further discussion, with full agreement by the applicant, the Council determined that rezoning only the west side to C3 at this time would be a good resolution for all concerned, and action was taken accordingly.

10. **Call to the Public for Items not on the Agenda**
There was no further public input.

11. **Advanced Approvals of Town Expenditures**
On a motion by Reddell, seconded by Teague, the Council unanimously approved the amount of \$2400 requested by the Community Development Department for repair to the 2002 Ford Ranger by B&B Transmission.
12. **Manager/Staff Report**
There was no Manager/Staff Report.
13. **Council Informational Reports**
There were no Council Informational Reports.
14. **Adjournment**
On a motion by Reddell, seconded by Kovacovich, the meeting was adjourned at 8:57 p.m.

Mitch Dickinson, 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 meeting of the Town Council of Camp Verde, Arizona, held on the 27th day of April, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk



RESOLUTION 2005-641

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
OPPOSING STRENGTHENING AMERICA'S COMMUNITIES INITIATIVE
PRESIDENT BUSH'S PROPOSAL TO CONSOLIDATE 18 FEDERAL PROGRAMS**

President Bush has proposed to eliminate or consolidate eighteen (18) existing federal community and economic development programs in his Strengthening America's Communities Initiative.

WHEREAS, the proposed initiative changes the eighteen existing federal assistance programs to a challenge grant process requiring certain ill-defined criteria be met to receive funding; and

WHEREAS, the proposed initiative, because of these ill-defined criteria, will result in a shift of the programs from a predominantly rural focus to an urban focus in order to meet the requirements; and

WHEREAS, the proposed initiative cuts the existing federal assistance to rural areas from \$5.5 billion annually to \$3.7 billion annually, a loss of \$1.8 billion to rural areas and potentially more; and

WHEREAS, the Town of Camp Verde, along with all twenty-two cities and towns and four counties in the NACOG region depend heavily on the existing eighteen federal assistance programs for our community and economic development needs,

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde hereby resolve that the Town of Camp Verde oppose the President's Strengthening America's Communities Initiative.

PASSED AND APPROVED by majority vote of the Common Council at the regular meeting of May 18, 2005.

Mitch Dickinson, Mayor

Date: _____

Attest:

Approved as to form:

Deborah Barber, Town Clerk

Town Attorney

DRAFT

May 19, 2005

Fax to Senator McCain and Kyl

Re: Community Development Block Grants

Dear:

At the May 18, 2005 regular session, the Camp Verde Town Council voted to approve the enclosed resolution, which opposes President Bush's proposal to consolidate 18 federal programs. Consolidating these federal programs would eliminate Community Development Block Grants (CDBG) funding to communities. Historically, these funds have been used for community projects that otherwise would go uncompleted. Below are a statistics on previously, funded Town of Camp Verde projects:

1987	\$ 190,000	Planning, street improvements
1991	\$ 173,200	Flood Control, drainage improvement, streets
1994	\$ 312,584	Flood and drainage improvements, removal of barriers, Head Start Playground, ADA activities
1998	\$ 347,578	Domestic violence outreach project, Owner-occupied housing rehabilitation
Total	\$1,023,362	

As you can see from the items captioned above, the Town of Camp Verde depends heavily on this funding. Therefore, on behalf of the Camp Verde Town Council I strongly encourage you to consider continued funding of these essential projects so government entities can provide some very valuable services to our citizens.

Sincerely,

Mitch Dickinson,
Mayor

Enc. Resolution 2005-641

MD:cjb

Perry W. Haddon

P.O.B. 2083
Camp Verde, AZ 86322
928.567.7256
Fax 928.567.7286
E-mail: haddon@commspeed.net

May 5, 2005

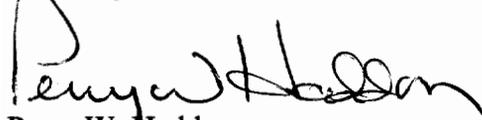
Town of Camp Verde
Town Council

Dear Sirs:

With much regret, I must tender my resignation from the Planning and Zoning Board. My wife and I will be leaving for Los Mochis, Mexico on a mission for our church. We will be serving for three alternate six month stays, ending in October 2007.

Thank you for the honor of serving you.

Sincerely,



Perry W. Haddon

TOWN OF CAMP VERDE



PROCLAMATION

Declaring the Week of May 15 through May 21, 2005 as:

National Police Week

Whereas, The Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

Whereas, the members of the law enforcement agency of The Town of Camp Verde play an essential role in safeguarding the rights and freedoms of The Town of Camp Verde; and

Whereas, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

Whereas, the men and women of the law enforcement agency of The Town of Camp Verde unceasingly provide a vital public service;

Now, therefore, the Mayor and Common Council of the Town of Camp Verde, call upon all citizens of Camp Verde and upon all patriotic, civic and educational organizations to observe the week of May 15 - 21, 2005, as Police Week with appropriate ceremonies and observances in which all of our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

We further call upon all citizens of The Town of Camp Verde to observe Sunday, May 15, 2005, as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

In witness thereof, I have hereunto set my hand and caused the Seal of the Town of Camp Verde to be affixed.

Issued this 18 day of May, 2005

Mitch Dickinson, Mayor

ATTEST:

Deborah Barber, Town Clerk



Camp Verde Chamber of Commerce

385 S. Main Street, Camp Verde, Arizona 86322

May 10, 2005

Mayor Mitch Dickinson and the Town Council
Town of Camp Verde
P.O. Box 710
Camp Verde, Arizona 86322

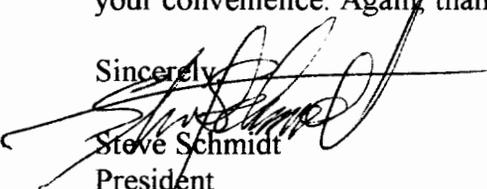
Reference: Quarterly Draw-Down Request: Second Quarter Fiscal Year 2005

Dear Mayor Dickinson and Council Members:

Please accept this letter as our request for the Chamber's quarterly draw-down in the amount of \$11,250.00 for April, May and June of Fiscal year 2005.

Should there be any questions please contact the Camp Verde Chamber of Commerce at your convenience. Again, thank you for your continued support.

Sincerely,



Steve Schmidt

President

Camp Verde Chamber Board of Directors

Cc: Deborah Barber, CMC
Town Clerk

Camp Verde Chamber of Commerce
Balance Sheet
As of April 30, 2005

	<u>Apr 30, 05</u>
ASSETS	
Current Assets	
Checking/Savings	
Wells Fargo	18,917.14
Total Checking/Savings	18,917.14
Other Current Assets	
Petty Cash	50.00
Total Other Current Assets	50.00
Total Current Assets	18,967.14
Other Assets	
Prepaid Member Plaques	337.77
Total Other Assets	337.77
TOTAL ASSETS	<u>19,304.91</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	50.00
Total Accounts Payable	50.00
Other Current Liabilities	
Deferred Advertising Income	450.00
Federal Tax Withholding Payable	1,132.54
State Employment Taxes Payable	68.44
Total Other Current Liabilities	1,650.98
Total Current Liabilities	1,700.98
Total Liabilities	1,700.98
Equity	
Opening Bal Equity	9,537.11
Retained Earnings	-8,662.18
Net Income	16,729.00
Total Equity	17,603.93
TOTAL LIABILITIES & EQUITY	<u>19,304.91</u>

Camp Verde Chamber of Commerce
Profit & Loss
April 2005

	<u>Apr 05</u>
Income	
Events/Fundraisers	
Mixers	48.98
Total Events/Fundraisers	<u>48.98</u>
Membership	
Advertising	50.00
Member Dues	-100.00
Total Membership	<u>-50.00</u>
Total Income	-1.02
Expense	
Accounting and Related Expenses	
Accounting Services	75.00
Bank Service Charge	82.00
Total Accounting and Related Expenses	<u>157.00</u>
Employee Related Expense	
Health Insurance	20.00
Payroll Taxes	687.99
Salaries/Wages	5,351.53
Total Employee Related Expense	<u>6,059.52</u>
Office Expense	
Credit Card Processing Expesne	5.44
Insurance	459.66
Office Supplies	89.82
Telephone	245.42
Utilities	244.85
Volunteers	250.00
Total Office Expense	<u>1,295.19</u>
Tourism & Member Services	
Advertising	90.00
Events	3,725.98
Executive Director Expenses	859.00
Mixers	304.48
Plaques/Engraving	61.42
Website	30.00
Total Tourism & Member Services	<u>5,070.88</u>
Total Expense	<u>12,582.59</u>
Net Income	<u><u>-12,583.61</u></u>

**Camp Verde Chamber of Commerce
 Profit & Loss
 January through April 2005**

	<u>Jan - Apr 05</u>
Income	
Events/Fundraisers	
AOT Grants	851.00
Fundraiser/Events	7,930.00
Mixers	993.98
Total Events/Fundraisers	<u>9,774.98</u>
Membership	
Advertising	325.00
Member Dues	18,162.00
Membership Drive	2,615.00
Total Membership	<u>21,102.00</u>
Office & Miscellaneous	
Miscellaneous/Buttons	9.50
Office Sales	8.25
Total Office & Miscellaneous	<u>17.75</u>
Town of Camp Verde	11,250.00
Yavapai-Apache Nation Donation	7,799.15
Total Income	<u>49,943.88</u>
Expense	
Accounting and Related Expenses	
Accounting Services	75.00
Bank Service Charge	132.05
Dues & Subscriptions	1,082.00
Total Accounting and Related Expenses	<u>1,289.05</u>
Employee Related Expense	
Employment Advertising	229.31
Health Insurance	591.67
Mileage	15.60
Payroll Taxes	1,268.27
Salaries/Wages	14,382.11
Worker's Compensation	336.00
Total Employee Related Expense	<u>16,822.96</u>
Office Expense	
Copier	1,198.91
Credit Card Processing Expesne	5.44
Insurance	459.66
Maintenance Cleaning Serive	115.20
Maintenance Supplies	3.24
Miscellaneous	0.00
Office Drinking Water	42.00
Office Supplies	723.60
Telephone	642.47
Utilities	1,063.72
Volunteers	250.00
Total Office Expense	<u>4,504.24</u>
Tourism & Member Services	
Advertising	128.84
Events	8,020.98
Executive Director Expenses	873.98
Mixers	571.41
Plaques/Engraving	177.02
Postage	625.14
volunteers	81.26
Website	120.00
Total Tourism & Member Services	<u>10,598.63</u>
Total Expense	<u>33,214.88</u>

9:57 PM
05/08/05
Accrual Basis

Camp Verde Chamber of Commerce
Profit & Loss
January through April 2005

	<u>Jan - Apr 05</u>
Net Income	<u><u>16,729.00</u></u>

9:58 PM
 05/08/05
 Accrual Basis

Camp Verde Chamber of Commerce Profit & Loss Prev Year Comparison January through April 2005

	Jan - Apr 05	Jan - Apr 04	\$ Change	% Change
Income				
Events/Fundraisers				
AOT Grants	851.00	0.00	851.00	100.0%
Fundraiser/Events	7,930.00	708.00	7,222.00	1,020.1%
Mixers	993.98	1,744.00	-750.02	-43.0%
Total Events/Fundraisers	9,774.98	2,452.00	7,322.98	298.7%
Membership				
Advertising	325.00	553.27	-228.27	-41.3%
Member Dues	18,162.00	22,380.50	-4,218.50	-18.9%
Membership Drive	2,615.00	900.00	1,715.00	190.6%
Membership Net Set Up	0.00	180.00	-180.00	-100.0%
Total Membership	21,102.00	24,013.77	-2,911.77	-12.1%
Office & Miscellaneous				
Miscellaneous/Buttons	9.50	0.00	9.50	100.0%
Office Donations	0.00	28.00	-28.00	-100.0%
Office Sales	8.25	162.14	-153.89	-94.9%
Tourist/Relocation Packets	0.00	38.00	-38.00	-100.0%
Total Office & Miscellaneous	17.75	228.14	-210.39	-92.2%
Town of Camp Verde	11,250.00	11,250.00	0.00	0.0%
Yavapai-Apache Nation Donation	7,799.15	7,563.00	236.15	3.1%
Total Income	49,943.88	45,506.91	4,436.97	9.8%
Expense				
Accounting and Related Expenses				
Accounting Services	75.00	0.00	75.00	100.0%
Bank Service Charge	132.05	8.00	124.05	1,550.6%
Dues & Subscriptions	1,082.00	136.00	946.00	695.6%
Total Accounting and Related Expenses	1,289.05	144.00	1,145.05	795.2%
Employee Related Expense				
Conferences	0.00	145.00	-145.00	-100.0%
Employment Advertising	229.31	0.00	229.31	100.0%
Health Insurance	591.67	926.03	-334.36	-36.1%
Mileage	15.60	360.00	-344.40	-95.7%
Payroll Taxes	1,268.27	1,559.31	-291.04	-18.7%
Salaries/Wages	14,382.11	17,624.65	-3,242.54	-18.4%
Worker's Compensation	336.00	327.00	9.00	2.8%
Total Employee Related Expense	16,822.96	20,941.99	-4,119.03	-19.7%
Office Expense				
Copier	1,198.91	1,464.96	-266.05	-18.2%
Credit Card Processing Expesne	5.44	0.00	5.44	100.0%
Insurance	459.66	338.66	121.00	35.7%
Maintenance Cleaning Serive	115.20	195.20	-80.00	-41.0%
Maintenance Supplies	3.24	29.27	-26.03	-88.9%
Miscellaneous	0.00	96.43	-96.43	-100.0%
Office Drinking Water	42.00	59.00	-17.00	-28.8%
Office Supplies	723.60	971.83	-248.23	-25.5%
Telephone	642.47	770.80	-128.33	-16.7%
Utilities	1,063.72	969.67	94.05	9.7%
Volunteers	250.00	0.00	250.00	100.0%
Total Office Expense	4,504.24	4,895.82	-391.58	-8.0%
Tourism & Member Services				
Advertising	128.84	272.74	-143.90	-52.8%
Events	8,020.98	240.40	7,780.58	3,236.5%
Executive Director Expenses	873.98	261.35	612.63	234.4%
Mixers	571.41	310.72	260.69	83.9%
Plaques/Engraving	177.02	68.98	108.04	156.6%
Postage	625.14	576.86	48.28	8.4%
volunteers	81.26	0.00	81.26	100.0%
Website	120.00	197.80	-77.80	-39.3%

9:58 PM
05/08/05
Accrual Basis

Camp Verde Chamber of Commerce
Profit & Loss Prev Year Comparison
January through April 2005

	<u>Jan - Apr 05</u>	<u>Jan - Apr 04</u>	<u>\$ Change</u>	<u>% Change</u>
Total Tourism & Member Services	<u>10,598.63</u>	<u>1,928.85</u>	<u>8,669.78</u>	<u>449.5%</u>
Total Expense	<u>33,214.88</u>	<u>27,910.66</u>	<u>5,304.22</u>	<u>19.0%</u>
Net Income	<u><u>16,729.00</u></u>	<u><u>17,596.25</u></u>	<u><u>-867.25</u></u>	<u><u>-4.9%</u></u>

STAFF REPORT

Council meeting of:	Wednesday, May 18, 2005
Title:	Discussion, consideration and approval for staff to submit a planning grant to the Arizona Department of Commerce. If successful, this matching grant for \$10,000 (\$20,000 total) will be used to hire a consultant to work with staff to revise the Town's planning and zoning ordinances. This work would be in agreement with the 2004 General Plan, ratified by voters March 8, 2005, and part of the implementation strategy required by Growing Smarter/Plus legislation.
Budgeted item:	\$15,000 has been allocated for General Plan component updates in the proposed 01-50-22 Planning and Zoning Department budget (not yet approved).
Description of Item:	<p>If the resolution to submit the grant and provide matching funds is approved by the Town Council, the staff will submit the 2005 Growing Smarter Planning Grant Program application to the Department of Commerce. Award announcement is expected in June/July 2005.</p> <p>Note: Because the Town received a similar grant in 2002, 10 points are automatically deducted from the criteria ranking.</p>
Staff Recommendation:	Staff recommends that the council consider and, if appropriate, authorize the resolution to submit and allocate matching funds with the hope that the Town is awarded a second planning grant. The grant opportunity surfaced after the town authorized relevant work with Casa Verde Consulting (see minutes dated 4-20-05). In the event, the grant is awarded; a Request for Proposal must be advertised with an appropriate bid opening. Casa Verde's principle, Mike Gardner, who met with the council in work session on May 11, is aware of these requirements.
Comments:	None
Attachments:	Resolution 2005-640 P&Z proposed budget sheet (see line item 6051) Council's minutes dated 4-20-05
Prepared by:	Carol Keefer, Grants Administrator

RESOLUTION 2005-640

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AUTHORIZING SUBMISSION OF SAID RESOLUTION WITH THE APPLICATION FOR THE “2005 GROWING SMARTER PLANNING GRANT PROGRAM” AND COMMITTING 50 PERCENT MATCHING FUNDS:

WHEREAS, the Town of Camp Verde (Town) prepared a general plan, ratified by voters March 8, 2005, for the development of the municipality, consisting of a statement of community goals, development polities, maps, land-use element, and circulation element, in accordance with ARS 9-461-05.

WHEREAS, the Town of Camp Verde (Town) will support and update the current long-range plan in an effort to comply with the 2001 requirements set up by the state legislative body. This would encompass revising the Town’s planning and zoning ordinances.

WHEREAS, the Town of Camp Verde (Town) will amend the Town’s zoning ordinance to be in agreement with the adopted and ratified General Plan, implementing the goals and objectives of the current General Plan,

NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE AS FOLLOWS:

- 1. The Town of Camp Verde commits to providing matching funds, equal to the amount of funds requested for the “Growing Smarter Planning Grant Program,” which will not exceed \$10,000.

PASSED, APPROVED, AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on the _____ day of May 2005.

Approved: _____ Date: _____

Attest: _____ Approved as to form:

Town Attorney

01 50-22 PLANNING & ZONING

NUMBER	DESCRIPTION	ESTIMATED		
		2004/2005 BUDGET	2004/2005 ACTUAL	2005/2006 BUDGET
5000	Training	1,750	750	1,600
5001	Travel	1,000	1,100	1,500
5002	Fuel/Oil/Lube	1,500		1,750
5003	Auto Maintenance/Repairs	1,200		1,500
6000	Salaries	107,811		101,645
6002	Health, Life & Disability	14,148		16,938
6003	Dental Insurance	845		1,056
6010	Subscriptions/Memberships	750		750
6011	Books/Tapes/Publications	500		500
6020	Office Supplies	2,250		2,300
6021	Office Equipment/Maintenance	1,250		1,500
6030	Computer Services/Software	2,500		2,000
6031	Computer Equipment	1,500		1,750
6032	Copier Maintenance	2,500		2,500
6033	Cell Phone	400		500
6040	Printing	300		500
6041	Maps/Cartography	200		250
6050	Safety Equipment	200		200
6051	General Plan	500		15,000
6052	Commission Expenses	1,250		1,300
6053	Consulting Services	300		500
6075	Advertising	3,000		2,500
7011	Unemployment Insurance	95		218
7012	Workman's Compensation	1,853		610
7013	Medicare	1,563		1,474
7014	FICA	6,684		6,302
7015	Retirement	6,145		8,386
	Regional Planning			8,575
TOTAL		\$ 161,994	\$ 1,850	\$ 183,604

<p>Salaries Include: Senior Planner Zoning Enforcement Officer Admin Assistant</p>
--

Bill Allen briefly reviewed the background of work done in connection with a master water resource plan in the early 1990's, explaining that at this point in time the objective of Burgess Niple is to study what was done in 1993, update that plan and begin to develop the issues and the reviews that would be required in order to understand the issues of water rights specifically as related to development. **Theresa Harris**, the Project Manager, went over the preliminary step of the program, referring to the proposed scope of work.

The presentations included an in-depth discussion with the Council including specifically reviewing the proposed tasks as outlined in the subject contract and the anticipated time involved. The discussion also pointed out that since 1992 there has been a significant change in the direction of the court through related adjudication relative to the clarification of what is a groundwater and surface water. Definitive information such as necessary mapping, criteria for acquisition, lot numbers, names and allocations to fill the Town's water portfolio will be developed in the second phase of the study. Town Attorney Bradford pointed out one change required by law that he had made to the contract; Mr. Allen understood and agreed with that change.

7. **Discussion, consideration, and possible direction to staff to retain the services of Casa Verde Consulting to update and revise the P&Z Ordinances in compliance with the newly adopted General Plan and to draft a commercial design review system.** 

On a motion by Dickinson, seconded by Teague, the Council voted unanimously to direct staff to retain the services of Casa Verde Consulting, and that they do so by request for preliminary information from Casa Verde, typical boilerplate, anything that might be helpful to the process, and that staff schedule a joint Work Session with Council and Planning & Zoning Commissioners and representatives from Casa Verde at the earliest convenience.

Mayor Dickinson explained that the issue has been pending for some time and that the existing ordinances and the newly-adopted General Plan do not really agree. The task to correct the differences is huge, and staff and the Planning & Zoning Commission already have a tremendous workload. Dickinson said that he believes it would be a good investment to hire a consultant to help draft revisions to use as the basis of a starting point. There have been efforts in the past to review and update ordinances which is a very tedious and lengthy process; in addition there is now the commercial design review draft that has to be worked on. Dickinson briefly reviewed the qualifications of the proposed consulting firm.

Michael Gardner, the principal planner with Casa Verde Consulting in Cottonwood, described the work his firm has done with all the ordinances and codes in the entire Verde Valley and northern Arizona. He agreed with the importance of the zoning ordinances complementing the General Plan. Mr. Gardner outlined the history and success of Cottonwood's design review system that was established in 1987, using a citizen board, and that to his knowledge to date has never been challenged over a decision. Mr. Gardner suggested that if the Council decides to go forward with the proposed services of Casa Verde Consulting, that they would sit down with staff, Council and perhaps Planning & Zoning Commission in a Work Session to discuss direction on how the Town wants to proceed. In discussion with the Council Mr. Gardner confirmed that a first step would be an analysis and a matrix of what is actually in the Code that will show what the conflicts are, then to compare that with the General Plan, and create a matrix between the two. There was also further discussion regarding the creation of a commercial design review plan, and a suggestion that it should have top priority in the general task. After the Work Session, Mr. Gardner suggested that his firm would be better able to estimate the projected cost of the consulting services, and staff would have better direction to prepare a scope of work.

8. **Discussion, consideration, and possible approval of upgrade of copier, and approval of contract for copier located in the Court.**

On a motion by Reddell, seconded by Teague, the Council unanimously approved the Total Care Copy Management Agreement presented by Hughes-Calihan for the copier for the Court System, with the changes made by the Town Attorney.

STAFF REPORT

Council meeting of:	May 18, 2005 – Regular Session
Title:	Discussion, consideration, and possible award of bid for the Adjacent Ways Detention Pond.
Budgeted item:	N/A. The project costs will be reimbursed with the School District's Adjacent Ways monies and County Flood Control funds.
Description of Item:	The project will alleviate the flooding that occurs on school property caused by runoff from the property located above the school. This is a partnership between the School District, Yavapai County, and the Town.
Staff Recommendation:	Award the Bid to Critco, Inc. in the amount of \$23.326.
Comments:	We received only one bid. Arizona Engineering has reviewed the bid and finds that it met the bidding requirements. They have recommended awarding the contract to Critco.
Attachments:	Yes
Prepared by:	Bill Lee



**ARIZONA
ENGINEERING
COMPANY**

Civil Engineering
Land Surveying

May 11, 2005

Bill Lee
395 S. Main Street
Camp Verde, AZ 86322

Project Number: 04TOCV04.1
Project Name: CVUSD #28 Adjacent Ways Detention Pond

Mr. Lee:

The Town of Camp Verde received one bid for construction of the Adjacent Ways Detention Pond project, funded jointly by the Town of Camp Verde and the School District. The bids were opened at 10:01 AM, Wednesday, May 11, 2005, in the Town Clerk's Office.

Arizona Engineering Company tabulated the bid received, see attached.

The bid submitted appears to be in accordance with the bidding requirements set forth in the project manual. The total bid amount is \$23,326.00.

We checked the Arizona Registrar of Contractors and there are no outstanding complaints or problems with Critco. We hereby recommend awarding the construction contract to Critco, Inc.

If you have any questions regarding this recommendation of award, please contact me or Caleb Lanting (ext. 12) at your earliest convenience.

Thank you for the opportunity to work with the Town of Camp Verde on this project. We look forward to the completion of another great project for the Town and the School District.

Very truly yours,

ARIZONA ENGINEERING COMPANY

Daniel L. Burke, P.E.

Copies:

Ron Maughan, Wally Dickinson, Marvin Buckel

Attachments:

Adjacent Ways Drainage Project Bid Tabulation Spreadsheet

Adjacent Ways Drainage Project
100% Cost Estimate
 AEC Project No. 04T0CV04
 Prepared: May, 2005

Item #	Description	Quantity	Unit	Engineer's Estimate		Critco Inc.	
				Unit Cost	Total	Unit Cost	Total
1	Mobilization/Administration	1	Job	\$ 2,200.00	\$ 2,200.00	\$ 2,700.00	\$ 2,700.00
2	Modified MAG Headwall	2	EA	\$ 3,000.00	\$ 6,000.00	\$ 4,500.00	\$ 9,000.00
3	Concrete Curb	48	LF	\$ 40.00	\$ 1,920.00	\$ 12.00	\$ 576.00
4	0.75'x6'x12' Reno Mattress	24	EA	\$ 320.50	\$ 7,692.00	\$ 200.00	\$ 4,800.00
5	1'x3'x9' Gabion Basket	5	EA	\$ 175.20	\$ 876.00	\$ 200.00	\$ 1,000.00
6	1.5'x3'x12' Gabion Basket	9	EA	\$ 317.20	\$ 2,854.80	\$ 200.00	\$ 1,800.00
7	3'x3'x9' Gabion Basket	1	EA	\$ 442.70	\$ 442.70	\$ 250.00	\$ 250.00
8	Seeding Site Restoration	1	LS	\$ 2,550.00	\$ 2,550.00	\$ 2,200.00	\$ 2,200.00
Sub Total				\$	24,535.50	\$	22,326.00
9	Contract Allowance	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Grand Total				\$	25,535.50	\$	23,326.00

MUNICIPAL CONSTRUCTION CONTRACT

PROJECT NO. 04TOCV04

DESCRIPTION OF WORK: This project shall consist of the construction of headwalls, gabion basket, reno mattress spillway and seeding of improvement for a Detention Basin for the Camp Verde Unified School District, and all other work as indicated in these Contract Documents titled "Camp Verde Unified School District #28 Adjacent Ways Detention Pond Project".

Recitals:

Whereas, Contractor has been awarded the above contract pursuant to submission of a Bid as response to the Request for Proposals on the project prepared by the Town of Camp Verde, a municipal corporation (hereinafter "Town"), and

Whereas, Contractor has reviewed the bid specifications, bond requirements, project site, grant stipulations and procedures, if any, information to bidders, advertisements, and addenda, if any, and agrees to perform the work according to the descriptions of the project in these contract documents, within the time limits required, for the bid price submitted, and

Whereas, time is of the essence in performance of this agreement and construction of the project, and

Whereas, the Town as agent is required to include certain contract provisions by ARS 34-221, ARS 38-511.A, and other provisions of law,

Now Therefore the Contractor and Town Agree as Follows:

1. **Contract Documents.** The advertisement for bids, instructions to bidders, request for proposals, bonds, addenda, and the bid submitted by Contractor, and all related plans, specification sheets, drawings, codes, shall be incorporated as terms of this contract. The contract documents will also include any grant applications and awards if applicable to this project. If any of these provisions are inconsistent with the terms of this contract, the contract shall prevail.

2. **Notice to Proceed.** Presentation of this contract by the Town for execution shall be deemed notice that the project is ready to be started, and Contractor shall execute the contract and begin work within five (5) working days from delivery of the contract signed by the Town. The date of execution of the contract by the Contractor shall be the date of this agreement, and the beginning date of any time periods for completion of the work as required in the contract documents.

3. **Town Force Work.** Unless specifically described in the contract documents, the Town will not provide any work on the project from Town forces, or supply any materials.

Town of Camp Verde, Arizona

4. **Inspections.** The Town hereby reserves the right to make periodic inspections to assure compliance with the contract documents and project specifications. Contractor agrees to have a site manager available upon reasonable notice to assist the Town in these inspections, who will also have the authority to take any corrective action necessary to achieve compliance. If the inspection shows noncompliance, the project work will be suspended pending necessary materials testing or modification of existing work, with the cost of such testing or corrective work to be borne by Contractor. Delays resulting from corrective work will not extend the project completion limits, unless agreed to in a change order signed by the Town.

5. **Change Orders.** The Town may make reasonable changes in the project specifications, and the Contractor may submit change order requests based upon site conditions, lack of suitable materials, or unexpected delays not in the control of the Contractor. In general, however, by submission of the bid, and execution of this contract, the Contractor is assumed to have inspected the site and be familiar with the project terms, have experience in submitting municipal bids for the type or work described in the contract documents, have available the necessary qualified work force to complete the project in the time specified, and to have made available the necessary materials and equipment meeting the specifications for the project. If the Town initiates a change order, or agrees to a change order request submitted by the Contractor, such order shall only be in writing, dated and signed by the parties, and contain a description of the change, modification in the contract price, if any, and extension of the completion date, if necessary.

6. **Lien Releases.** Prior to notice to the Town that the project is ready for inspection as being complete, the Contractor shall submit written lien releases or statements from all suppliers and subcontractors that their contracts have been satisfied, and no claims are made upon the completed work, including claims for any unpaid wages or benefits. There may be additional releases required according to any grants used in connection with the project.

7. **Cancellation for Conflicts.** Pursuant to ARS 38-511.F, notice is hereby given that this contract may be canceled within three (3) years if its execution, without penalty or further obligation of the Town, if persons significantly involved in negotiating or securing the contract on behalf of the Town are at any time while the contract or any extension is in effect an employee or agent of the Contractor, or a consultant to Contractor with respect to this project.

8. **Progress Payments.** Provisions for progress payments, retention, and payments to subcontractors as set forth in ARS 34-221.A/E/F, as amended, are hereby incorporated herein. A summary of these statutory requirements is as follows:
 - a. Progress payments are not required for projects of less than 90 days.

b. Contracts exceeding 90 days require progress payments every month, based first upon submission by the Contractor of a "duly certified and approved estimate of the work performed during the preceding calendar month." The Town has 7 days from submission to challenge any work performed as being deficient. If such a report is made in writing to the Contractor, the Town may withhold a reasonable amount from the payment that the Town expects to pay for correction of the deficiency. In all cases, the Town, to insure the property performance of the contract, shall retain 10% of the payment until final completion and acceptance of all material, equipment and work covered by the contract.

c. If the Contractor is making satisfactory progress on the project, and there is no specific cause stated by the Town for greater amount to be retained, the Town shall pay the Contractor one-half (1/2) of the retention amounts when the project is 50% complete. Also, once the project is 50% complete, no more than 5% of the progress payments may be retained, unless the Town determines that satisfactory progress is not being made on the project.

d. The Town may continue the retention of up to 10% of the contract amount up to 60 days after notice of completion from the Contractor and acceptance by the Town. Further retention requires the Town to give written reasons for delay in payment.

e. The Contractor shall pay his material suppliers and subcontractors within 7 days of receiving a progress payment. If requested in writing, the Town shall notify a supplier or subcontractor within 5 days of the making of the progress payment to the Contractor.

9. **Delays Caused by Town.** In the event the Town causes a delay in completion of the contract, which is unreasonable under the circumstances and which was not within the contemplation of the parties, the Town shall be responsible for reasonable damages which are the expenses incurred by the Contractor due to the delay. The Contractor shall first provide a written notice of the delay and expenses incurred. If the offer of the Town is not accepted, the contract shall nevertheless proceed, and the matter of damages submitted to a qualified arbitrator.

10. **Default of Contractor.** In the event the Contractor fails to abide by the terms and conditions of this contract, including all related contract documents and change orders, if any, the Town may:

(a) Serve written notice of the noncompliance, and state that certain work must be corrected, or completed in timely fashion.

(b) If the work is not completed in an acceptable fashion according to the contract specifications, the Town may impose an amount of liquidated damages of \$100 per day delay, to be first deducted from any retention amounts, and any excess to be paid to the Town within 30 days of the notice, or legal action will be taken upon the performance bonds of the Contractor.

(c) If there is a material and continuing breach of the contract, or the Contractor has abandoned the project, which may be assumed any time work is not being done for 10 consecutive working days, the Town may give notice to the Contractor that the contract is terminated.

The Town may select any suitable remedy, including additional remedies available at law or under the contract documents, or any combination of remedies deemed necessary.

11. **Town Agent.** The Town hereby designates the Project Engineer as the exclusive agent for inspections, notices of completion, requests for change orders, or other contact with the Town under this contract. The Engineer may confer with the Town Council and make recommendations prior to any change order approval, notice by the Town of any default of the Contractor, or progress payments and retention.

Executed by the Parties:

Town of Camp Verde:

Contractor:

By _____
Mayor

By: _____
President/Owner

ATTEST:

This contract was approved for execution by the Mayor at a regularly scheduled meeting of the Town Council on _____, 20____, by a majority vote.

Secretary

Town Clerk

The contract was reviewed and delivered, as signed by the Town, to the Contractor on _____, 20____.

Project Engineer

STAFF REPORT

**Council
Meeting of:**

May 18, 2005

Title:

Out of Africa Wildlife Park Requests an Amendment to their Approved Site Plan to Place a 96 square foot free-standing sign (see attached photo).

**Description
Of Item:**

Out of Africa Wildlife Park is planning a soft opening, which was recently approved by Council, for the 26th of May and needs to be promote and direct the general public to the park. This request is requires the Council to give Out of Africa an exception to the 64 square foot regulation for free-standing signs, which they are proposing a sign of 96 square feet in size

**Recommended
Council Action:**

Staff concurs that signage is necessary for the safety of the general public as well as needed for the success of the Wildlife Park. The issue is the size of the sign needed to be effective and indeed any business along a higher speed roadway such as a state route would by design be larger in order to be effective in meeting both of the above-noted issues for both the town and the business interests.

Attachments:

Yes

Prepared by:

Will Wright

PERMIT NO. _____

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(520) 567-8513 • FAX (520) 567-7401
SIGN PERMIT APPLICATION

BUSINESS NAME Out of Africa

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHYSICAL ADDRESS OF BUSINESS _____

BUSINESS PHONE NO. _____ FAX _____

BUSINESS CONTACT _____

NAME AND MAILING ADDRESS OF APPLICANT _____

PARCEL NO. _____ LEGAL DESCRIPTION _____

STATE TAX NO. _____ CAMP VERDE TAX NO. _____

SIGN INFORMATION

LINEAL FEET OF STREET FRONTAGE _____

OF BUILDING FRONTAGE _____

DIMENSIONS OF NEW SIGN _____

COLOR SCHEME AND LETTERING TYPE _____

DIMENSIONS OF OTHER SIGNS EXISTING ON PROPERTY _____

PHYSICAL MOUNTING LOCATION OF SIGN _____

PHYSICAL ADDRESS OF SIGN LOCATION _____

INSTALLATION CONTRACTOR _____ CONTRACTORS LIC. NO. _____

PHONE NO. _____

VALUE OF SIGN \$ _____ FEE \$ _____

It is agreed to erect or construct this sign in conformity with the laws of the Town of Camp Verde and the State of Arizona. Drawing must be on the attached 8X11 sheet of paper for the permanent file. (Either professionally rendered or have a professional appearance.) Sign must be erected within six (6) months of date of issuance.

PRINTED NAME WILLIAM S. JUMP DATE _____

SIGNATURE [Signature] DATE _____

APPROVED BY _____ DATE _____

Bill cell (614) 580 2122

PERMIT NO. _____

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(520) 567-8513 • FAX (520) 567-7401

SIGN PERMIT APPLICATION

BUSINESS NAME OUT OF AFRICA

MAILING ADDRESS 4020 N. CHERRY RD.

CITY CAMP VERDE STATE AZ. ZIP 86322

PHYSICAL ADDRESS OF BUSINESS SAME

BUSINESS PHONE NO. 567-2842 FAX 567-2839

BUSINESS CONTACT BRUCE NEWMAN

NAME AND MAILING ADDRESS OF APPLICANT _____

PARCEL NO. 403-R3-005V LEGAL DESCRIPTION _____

STATE TAX NO. _____ CAMP VERDE TAX NO. _____

SIGN INFORMATION

LINEAL FEET OF STREET FRONTAGE _____

OF BUILDING FRONTAGE _____

DIMENSIONS OF NEW SIGN 8x12 & 3x4

COLOR SCHEME AND LETTERING TYPE WHITE & RED

DIMENSIONS OF OTHER SIGNS EXISTING ON PROPERTY _____

PHYSICAL MOUNTING LOCATION OF SIGN _____

PHYSICAL ADDRESS OF SIGN LOCATION _____

INSTALLATION CONTRACTOR OUT OF AFRICA CONTRACTORS LIC. NO. 195789

PHONE NO. 300-8025

VALUE OF SIGN \$ _____ FEE \$ _____

It is agreed to erect or construct this sign in conformity with the laws of the Town of Camp Verde and the State of Arizona. Drawing must be on the attached 8X11 sheet of paper for the permanent file. (Either professionally rendered or have a professional appearance.) Sign must be erected within six (6) months of date of issuance.

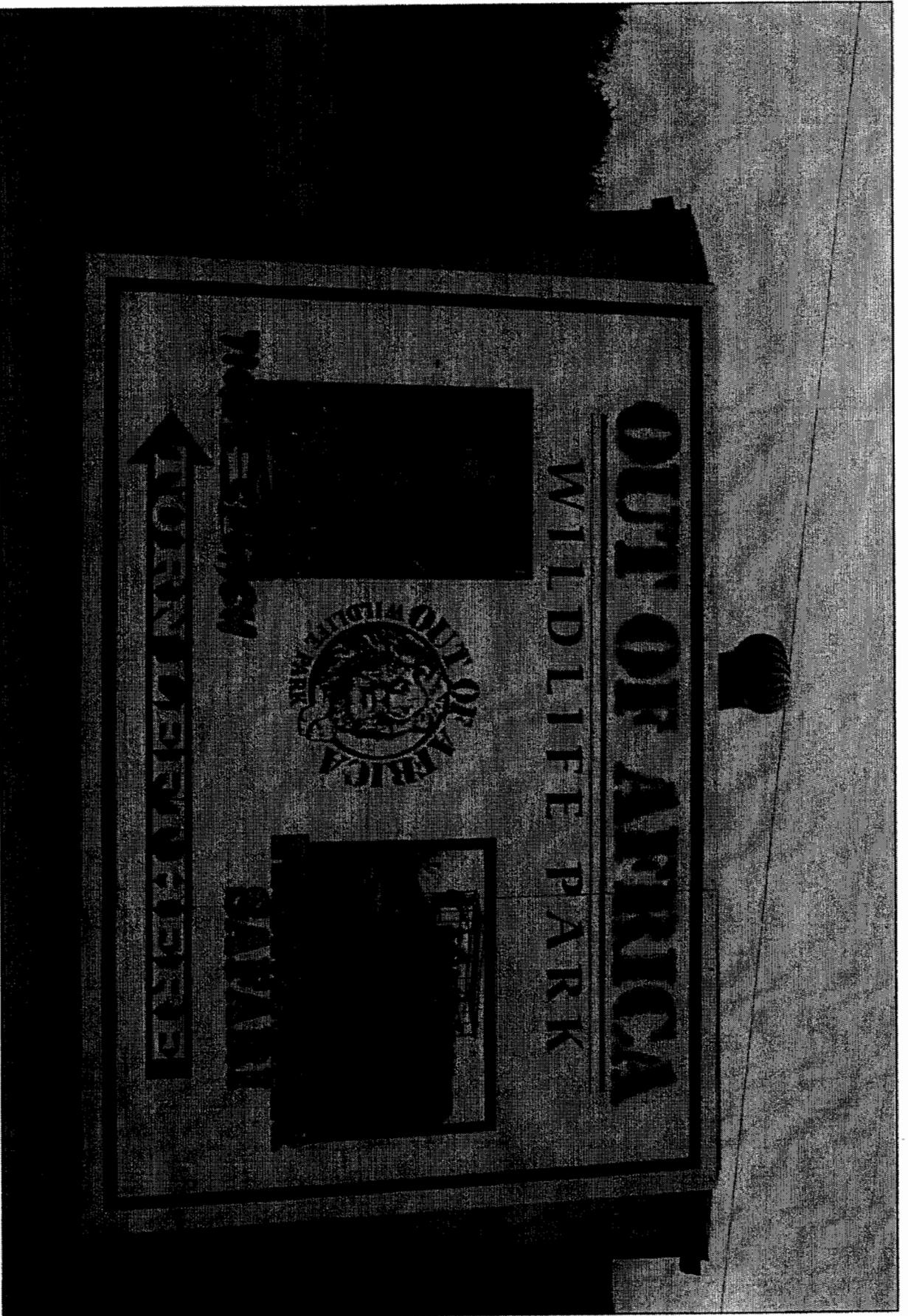
BRUCE NEWMAN
PRINTED NAME

BRUCE Newman DATE 4-28-05

SIGNATURE DATE _____

APPROVED BY _____

8'x12' Two Faces



Corner of VV Justice Center Rd. & Hwy 240 on
Van McDonald's Swamp Property

HIGHWAY 260

YAWAPAI JUSTICE FACILITY ROAD

EXISTING FENCE

-65'-

PROPOSED SIGN LOCATION
8' HIGH, 12' WIDE
2 SIDES
20' TO TOP OF SIGN
SEE ATTACHED PHOTO

EXISTING FENCE

GATE

PROPOSED SIGN LOCATION
3' HIGH, 4' WIDE
1 SIDE
6' TO TOP OF SIGN

OUT OF AREA
WINDLIFT PARK
ENTRANCE



SETTLEMENT AGREEMENT

This Settlement Agreement ("Agreement") is made and entered into between Dean Harrison and Prayeri Harrison, husband and wife (the "Harrisons"), Out of Africa Wildlife Resort, L.L.C., an Arizona limited liability company, (the "Resort LLC") and its managing member Kevin Skoch ("Skoch") (collectively "the Parties"), effective March ____, 2005, and is intended by the Parties hereto to effect the settlement of all claims and liabilities hereinafter designated.

RECITALS

- A. WHEREAS, the Harrisons, the Resort LLC and Skoch, as manager, entered into or purported to enter into numerous property agreements, contracts, and other business dealings between and among the Parties and others.
- B. WHEREAS, the Harrisons own, subject to a March 31, 2003 Note and Deed of Trust, an 87 acre parcel ("the 87 Acres") located in Camp Verde, Arizona.
- C. WHEREAS, the Harrisons operate the Out of Africa Wildlife Park on the 87 Acres.
- D. WHEREAS, the Harrisons need ingress and egress from State Highway 260 to the 87 Acres to operate the Out of Africa Wildlife Park.
- E. WHEREAS, the Parties disagree as to the existence, terms and enforceability of agreements between the Parties for the sale of a ten (10) acre parcel ("the Ten Acres"), a six (6) acre parcel ("the Six Acres") and the terms and percentage of the Harrisons' interest in the Resort LLC.
- F. WHEREAS, the Parties disagree as to the terms and enforceability of an agreement to provide an easement over an adjacent parcel owned by Out of Africa.
- G. WHEREAS, the Ten Acres is located inside the 87 Acres and, without the existing easements or alternative access being provided, is essentially landlocked.
- H. WHEREAS, none of the Parties admit any liability in contract, tort or otherwise nor is the Agreement to be construed as an adjudication or finding against any party for any wrongdoing. This document represents a compromise of disputed claims.
- I. WHEREAS, the Parties desire to settle all claims and potential claims among them, known or unknown, mutually and voluntarily by entering into this Agreement under the terms set forth below and agree to be legally bound by these terms.

NOW THEREFORE, the Parties agree as follows:

DH

6. The Resort LLC agrees to cause to be released and extinguished the four easements impressed upon the 87 acre parcel as evidenced by the legal description attached hereto as Exhibit "B." Notwithstanding the forgoing, the Resort LLC does not release any easement for the benefit of the Verde Valley Partners until the conditions and restrictions of the agreement of sale dated February 21, 2003 are satisfied.

7. The Resort LLC will grant to the Harrisons an easement and letter of permission for the location of a sign to be located on the corner of the LLC's 20 Acres and contiguous with Highway 260 for advertising the location of the wild life park. The approximate location for this sign is marked on Exhibit "A" attached hereto and will be mutually agreed upon by the Parties after ADOT has determined the frontage area that may be acquired from the LLC's 20 Acres. Until ADOT has determined the frontage area that may be acquired from the LLC's 20 Acres, the sign easement will be located where indicated, as close as possible to Highway 260. When, and if, ADOT determines that they will be taking frontage along Highway 260, the LLC agrees to provide the Harrisons with a new easement so as to allow the sign to be as close as possible to Highway 260, if permitted by the town of Camp Verde.

8. Upon receipt of the payment as set out in Paragraph 4, the Resort LLC will pay down and release to the Harrisons or their nominee, 20 acres from the Verde Valley Partner's agreement of sale dated February 21, 2003, consistent with the release provisions therein (the "Released 20 Acres"). The release of the Released 20 Acres does not reduce the principal amount of the March 31, 2003 Note owed to the Resort LLC by the Harrisons, and such amount shall remain as an encumbrance on the entire remaining portion of the 87 Acres (thereafter 67 acres) and the Ten Acres.

9. The Harrisons and the Resort LLC will reconfirm the March 31, 2003 Note and Deed of Trust, but will acknowledge that the Resort LLC no longer owns any sand, gravel or mineral rights on the land conveyed therein to the Harrisons.

10. The Resort LLC will change its name within 30 days of closing and its new name will in no manner include the names "Out of Africa" or "Africa."

11. The Harrisons agree they have no further equitable, legal or other interest in the Resort LLC or the LLC's 20 Acres, except for the easements described herein, and that any claimed interest(s) has not been previously assigned. Nothing herein will be construed to prevent the Harrisons from using the name "Out of Africa" or any variation thereof to operate and promote their park.

12. The Parties will enter into a Stipulation for Dismissal with Prejudice and a Mutual Release between the Parties. The Parties further agree to execute any and all documents necessary to effectuate the terms and provisions of this agreement, including but not limited to, deeds, grants of easements and other appropriate documents.

13. None of the foregoing agreements or releases will affect any claims between the Resort LLC, Kevin Skoch, Van McDonald or Bill Jump may have against one another nor does the Resort LLC purport to affect any claims between the Harrisons and Bill Jump.

Prayeri Harrison

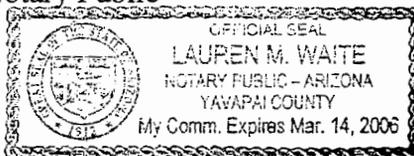
PRAYERI HARRISON

STATE OF ARIZONA)
)ss
County of Yavapai)

The foregoing instrument was acknowledged before me this 15 day of March, 2005, by Prayeri Harrison.

Lauren M. Waite

Notary Public



My Commission Expires: 3/14/06

OUT OF AFRICA WILDLIFE RESORT, L.L.C.

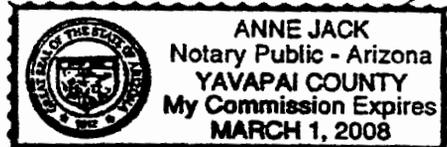
By: *Kevin Skoch*
Its: MANAGER

STATE OF ARIZONA)
)ss
County of Yavapai)

The foregoing instrument was acknowledged before me this 23rd day of March, 2005, by Kevin Skoch on behalf of Out of Africa Wildlife Resort, LLC, as its Manager.

Anne Jack

Notary Public



My Commission Expires: March 1, 2008

STAFF REPORT

**Council
Meeting of:**

May 18, 2005

Title:

AZNorth Development, Inc. with Jeremy Bach as agent is proposing to develop Phase I of the Gateway Commercial Complex and, due to time constraints in the purchasing agreements, is requesting approval of both the Preliminary Plat (**PP 05-03**) and Final Plat (**FP 05-04**) for parcel number 403-21-015E, which consists of about 10 acres to create an eight lot business park. This property is located on SR 260 just west of I-17 and adjacent to Wilshire Road.

**Description
Of Item:**

This property was rezoned by the town in September 2004 as C3 and will permit this proposed development of eight (8) half acre commercial lots. Further, this approval stipulated adherence to commercial design review. Conditions agreed to by the developer, which will also be in the CC&Rs and as a deed restriction, include: 1) all sides of buildings seen from SR 260 will be dressed on the outside and prohibit metal siding from showing; 2) all areas adjacent to SR 260 will have indoor storage or screening requirements; and 3) no access will be allowed onto SR 260 from these lots.

The surrounding uses are as follows:

- North:** Recently rezoned to C3, currently vacant;
- South:** C2 zoning with Chevron, Trading Post and Wendy's restaurant;
- East:** C2 zoned property, currently vacant; and
- West:** Prescott National Forest

This development fronts onto SR 260 and is accessed off of Wilshire Road terminating into a cul-de-sac until future phases of this development are approved and constructed. The roadway will be built to town standards, however the applicant is requesting an exception to the eight (8) foot pathway to be reduced to a four foot (4') sidewalk on one side of the street. The eight lots range in size from ½ acre to one acre in size and will not have any access onto SR 260 except from Wilshire Road. Water will be provided by Camp Verde Water Company, while sewage will be handled by either a septic system or vault and haul temporary setup until the sewer expands to their site. This location is within the Sanitary District's service area.

Staff has also received a Preliminary (Phase II) and Final Drainage (Phase III) Reports along with completed Construction Plans. These are available for review in the Community Development Department office during business hours.

Agency Review:

Staff held a project pre-development meeting on April 7, 2005 with representatives from 5 agencies in attendance to review the project with the developer and project engineer. Further, the project engineer and town engineer have been working closely to address any concerns found on the preliminary plat on the final

Arizona Engineering: The town's engineer reviewed the Preliminary Plat and presented a number of comments which they have discussed and clarified on the revised plats for this project.

Camp Verde Fire Dept: Their main concern was the need for a turn-around at the terminus of this street and to assure fire hydrants were a part of the project at a distance of 500 feet apart.

Yavapai County Flood Control: Their concerns were addressed in the drainage reports.

Camp Verde Public Works: The street and construction plans must comply with the Town's commercial standards. Further, the CMP's and drainage plans should reflect comments regarding type, size of pipe and provide town crews with the ability to clean out and maintain these lines.

Community Development Director: The Preliminary and Final Plats for this initial phase of the Gateway Commercial Complex shows eight (8) ½ acres lots with one access point (Wilshire Road) into the subdivision. The surrounding properties are zoned for commercial uses and, therefore, this development compliments the uses in the immediate area as well as the Growth Area identified in the Town's General Plan.

Replies to the 300' Letters: Twelve (12) letters were sent out concerning the Preliminary Plat application and staff has not received any response as of May 11, 2005.

Attachments:

Yes

Prepared by:

Will Wright

RESOLUTION 2005-642

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING THE PRELIMINARY PLAT 2005-03 FOR THE PURPOSE OF DEVELOPING PHASE I OF GATEWAY COMMERCIAL COMPLEX, A COMMERCIAL SUBDIVISION ON PARCEL 403-21-015E CONSISTING OF APPROXIMATELY 9.89 ACRES AND 8 LOTS. THE LOCATION OF THE PROJECT IS OFF SR 260 ACCESSED BY WILSHIRE ROAD AND MOONRISE DRIVE.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for approval of Preliminary Plat 2005-03 was filed by Jeremy Bach, agent for AZ North TOWNHOUSES NUMBER 2, LLC, perspective owners, for parcel 403-21-015E.
 - B. The request was reviewed by the Planning and Zoning Commission on May 5, 2005 and by the Common Council on May 18, 2005 in public hearings that were advertised and posted according to state law.
 - C. The purpose of the preliminary plat is to develop a commercial subdivision.
 - D. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves PP 2005-03 for the purpose of developing a subdivision with 8 lots on parcel 403-21-015E with the following exceptions:

1. Sidewalks will be constructed on only one side of the roadway and be 4' in width rather than constructed on both sides and 8' in width as required in the Town's Uniform Standard Specifications.
2. The requirement for a parkway or meandering pathway has been waived.
3. The Right of Way to be 50' in width.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON MAY 18th, 2005.

Mitch Dickinson, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

APPROVED AS TO FORM:

Town Attorney



Townhouses Number 2, LLC

725 Howard Road Suite B

Camp Verde, AZ 86322

Office: (928) 567-8808 Fax: (928) 567-8809

April 7, 2005

Town of Camp Verde

Re: Parcel# 403-21-015E

AZNORTH Development, INC. desires to use this property for a commercial complex consisting of not more than 41 lots.

The intent of AZNORTH Development, INC. is for this property to be a commercial complex to be named "~~Verde Commerce Center~~" for a commercial businesses in Camp Verde, Arizona.

"Gateway Commercial Complex"

Respectfully submitted,

Jeremy Bach

CASE NO. 2005-21
PROJECT NO. PP05-03
FP 05-04

APPLICATION OF EXCEPTION

Note: Subdivision Regulations III.L.10. (Any waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc. shall be in the form of an application of exception specifying each requested waiver or variance and associated justification.)

ASSESSOR'S PARCEL NO. 403-22-019B 403-21-015E PRESENT ZONING C2-4
403-23-150A
SUBDIVISION GATEWAY COMMERCIAL COMPLEX (EXISTING USE OF PROPERTY VACANT)
ADDRESS OF PROPERTY HWY 260 CAMP VERDE

REQUESTED WAIVER OR VARIANCE:

SIDEWALKS to be 4' in width and located
adjacent to the top of the CURB, WITH NO PARKING
NO MEANDERING & NO RIGHT OF WAY, ON ONE SIDE OF THE STREET ONLY.
IN ACCORDANCE WITH engineering drawings.
50' wide easement as per town standards

JUSTIFICATION

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

JMI 5-4-05
Signature of Applicant Date

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT**

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: PP 05-03 PARCEL NO.: 403-21-015E

DATE: 4-7-05 LEGAL DESCRIPTION: AS ATTACHED

NAME: AZ NORTH TOWNHOUSES NUMBER 2, LLC.

ADDRESS: 725 HOWARDS RO. Camp Verde, Az 86322

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

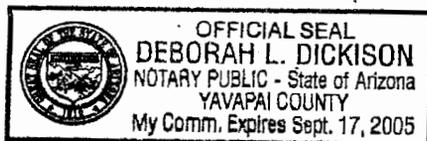
Applicant's Signature JEREMY BACH Date _____

Agent for: AZ NORTH TOWNHOUSES NUMBER 2, LLC.

State of Arizona
Town of Camp Verde

On this 8 day of April, 2005 before me, the undersigned Notary Public, personally appeared Jeremy Bach Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.



Deborah L. Dickison
Notary Public
Sept 17, 05
Date Commission Expires

DIRECTIONS TO PROPERTY

403.21.015E

ASSESSOR'S PARCEL NUMBER: _____

APPLICANT'S NAME: AZ NORTH TOWNHOUSES NUMBER 2, LLC

PROPERTY ADDRESS: HWY 260 - (S.R. 260)

DIRECTIONS TO PROPERTY: SEE ATTACHED

HWY 260 N.

Town of Camp Verde
Post Office Box 710
Camp Verde, AZ 86322
(520) 567-6631

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 403-21-015E Date: 4-7-05
Owner: AZ NORTH TOWNHOUSES #2, LLC
Address: 785 HOWARDS RD #B CAMP VERDE, AZ
Phone: 567-8808

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates _____
Jeremy Brach, as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to DEC. 31, 2009, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

[Signature]

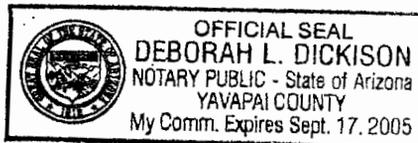
Henry M. Shill, Owner(s)
HENRY M. SHILL

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 8 day of April, 2005, by Jeremy Brach, who is/are personally known by me or have produced identification.

[Signature] Notary Public

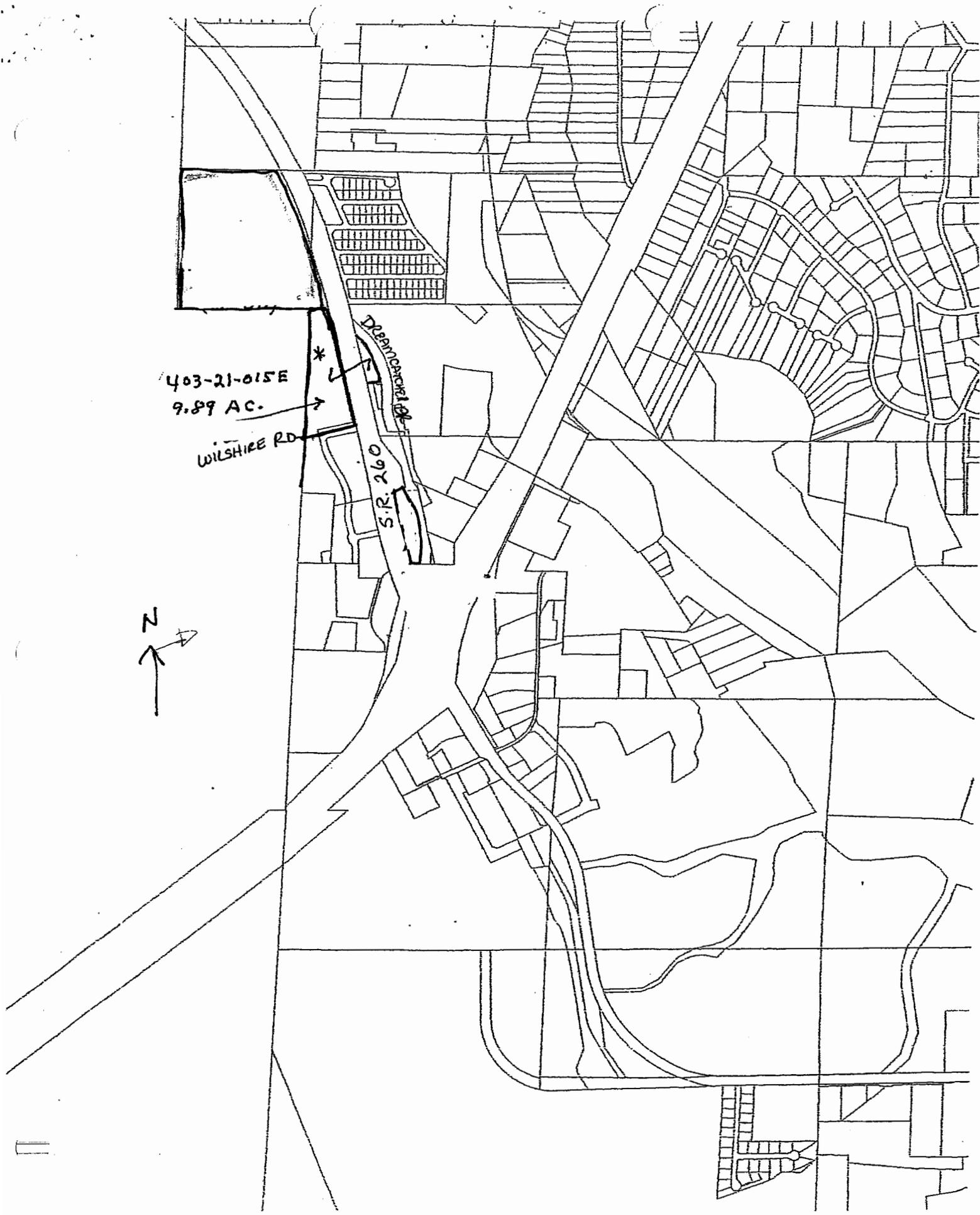
My Commission Expires:



403-21-015E
9.89 AC.

WILSHIRE RD.

DORCHESTER RD.
S.R. 260



PRESCHOOL

NATIONAL FOREST

APPROVALS

THE PLAT HAS BEEN CHECKED BY THE COMMISSIONER OF THE TOWN OF YAVAPAI COUNTY...

APPROVED BY THE TOWN CLERK OF YAVAPAI COUNTY, ARIZONA

DATE

BY

TOWN CLERK

DATE

DEDICATION

STATE OF ARIZONA
COUNTY OF YAVAPAI

BEFORE ALL MEN BY THESE PRESENTS

THE UNDERSIGNED, THE OWNER OF THE LAND HEREIN DESCRIBED, DO HEREBY DEDICATE TO THE PUBLIC THE TRACTS HEREIN DESCRIBED...

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE...

BY: _____

DATE

BY: _____

DATE

BY: _____

DATE

BY: _____

DATE

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE SURVEY OF THE FOREGROUND DESCRIBED HEREIN WAS MADE UNDER MY PERSONAL SUPERVISION...

BY: _____

DATE

BY: _____

DATE

BY: _____

DATE

BY: _____

DATE

ACKNOWLEDGMENT

STATE OF ARIZONA
COUNTY OF YAVAPAI

ON THIS, THE _____ DAY OF _____ 2004, I, _____, OWNER OF THE FOREGROUND DESCRIBED HEREIN, DO HEREBY ACKNOWLEDGE THAT THE FOREGROUND DESCRIBED HEREIN IS MY OWN AND I HEREBY DEDICATE TO THE PUBLIC THE TRACTS HEREIN DESCRIBED...

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL OF OFFICE...

BY: _____

DATE

BY: _____

</

STAFF REPORT

Council Meeting of: May 18, 2005

Title: AZNorth Development, Inc. with Jeremy Bach as agent is proposing to develop Phase I of the Gateway Commercial Complex and, due to time constraints in the purchasing agreements, is requesting approval of both the Preliminary Plat (**PP 05-03**) and Final Plat (**FP 05-04**) for parcel number 403-21-015E, which consists of about 10 acres to create an eight lot business park. This property is located on SR 260 just west of I-17 and adjacent to Wilshire Road.

Description Of Item:

This property was rezoned by the town in September 2004 as C3 and will permit this proposed development of eight (8) half acre commercial lots. Further, this approval stipulated adherence to commercial design review. Conditions agreed to by the developer, which will also be in the CC&Rs and as a deed restriction, include: 1) all sides of buildings seen from SR 260 will be dressed on the outside and prohibit metal siding from showing; 2) all areas adjacent to SR 260 will have indoor storage or screening requirements; and 3) no access will be allowed onto SR 260 from these lots.

The surrounding uses are as follows:

- North:** Recently rezoned to C3, currently vacant;
- South:** C2 zoning with Chevron, Trading Post and Wendy's restaurant;
- East:** C2 zoned property, currently vacant; and
- West:** Prescott National Forest

This development fronts onto SR 260 and is accessed off of Wilshire Road terminating into a cul-de-sac until future phases of this development are approved and constructed. The roadway will be built to town standards, however the applicant is requesting an exception to the eight (8) foot pathway to be reduced to a four foot (4') sidewalk on one side of the street. The eight lots range in size from ½ acre to one acre in size and will not have any access onto SR 260 except from Wilshire Road. Water will be provided by Camp Verde Water Company, while sewage will be handled by either a septic system or vault and haul temporary setup until the sewer expands to their site. This location is within the Sanitary District's service area.

Staff has also received a Preliminary (Phase II) and Final Drainage (Phase III) Reports along with completed Construction Plans. These are available for review in the Community Development Department office during business hours.

Agency Review: Staff held a project pre-development meeting on April 7, 2005 with representatives from 5 agencies in attendance to review the project with the developer and project engineer. Further, the project engineer and town engineer have been working closely to address any concerns found on the preliminary plat on the final

Arizona Engineering: The town's engineer reviewed the Preliminary Plat and presented a number of comments which they have discussed and clarified on the revised plats for this project.

Camp Verde Fire Dept: Their main concern was the need for a turn-around at the terminus of this street and to assure fire hydrants were a part of the project at a distance of 500 feet apart.

Yavapai County Flood Control: Their concerns were addressed in the drainage reports.

Camp Verde Public Works: The street and construction plans must comply with the Town's commercial standards. Further, the CMP's and drainage plans should reflect comments regarding type, size of pipe and provide town crews with the ability to clean out and maintain these lines.

Community Development Director: The Preliminary and Final Plats for this initial phase of the Gateway Commercial Complex shows eight (8) ½ acres lots with one access point (Wilshire Road) into the subdivision. The surrounding properties are zoned for commercial uses and, therefore, this development compliments the uses in the immediate area as well as the Growth Area identified in the Town's General Plan.

Replies to the 300' Letters: Twelve (12) letters were sent out concerning the Preliminary Plat application and staff has not received any response as of May 11, 2005.

Attachments: Yes

Prepared by: Will Wright



RESOLUTION 2005-643

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING FINAL PLAT 2005-04 FOR GATEWAY COMMERCIAL COMPLEX SUBDIVISION LOCATED ON 9.89 ACRES CONSISTING OF PARCEL 403-21-15E. THIS PROJECT IS LOCATED OFF OF SR 260 ACCESSED BY WILSHIRE ROAD AND MOONRISE DRIVE.

WHEREAS, a request for a final plat (2005-02) approval was filed by Jeremy Bach, agent, for AZ North Townhouses Number 2, LLC, prospective owners of the 9.89 acres consisting of tax parcel 403-21-15E, for Gateway Commercial Complex Phase I, and

WHEREAS, a preliminary plat was heard by the Planning Commission on May 5, 2005 and by the Common Council on May 18, 2005 in public hearings that were advertised and posted according to state law, and

WHEREAS, the purpose of the Final Plat is to allow for the development of a commercial subdivision and to subdivide 9.89 acres consisting of parcel 403-21-15E into 8 lots and

WHEREAS, the construction plans have been reviewed and approved by the town engineer, Arizona Engineering with understanding that the following conditions be satisfied before the recordation of the plat:

1. A soils report be submitted and road design approved by Town Engineer.
2. Letter of assured water supply to be received by the Town from ADWR.
3. Design and Calculations for the retaining wall to be submitted and approved by the Town Engineer.

WHEREAS, the proposed subdivision will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved;

NOW THEREFORE THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, TO ADOPT FINAL PLAT 2005-04 FOR

**GATEWAY COMMERCIAL COMPLEX WITH THE FOLLOWING
STIPULATIONS AS AGREED UPON BY THE DEVELOPER:**

1. Requirement for an 8' sidewalk on both sides of the roadway has been waived. A 4' sidewalk on one side of the roadway will be constructed.
2. Requirement for a 60' Right of Way has been waived. A 50' Right of Way will be provided.
3. Requirement for a 6" vertical curb has been waived. A rolled curb will be provided.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 18th day of May 2005.

Mitch Dickinson, Mayor

Date: _____

Approved as to Form:

Town Attorney

Attest: _____
Deborah Barber, Town Clerk



Townhouses Number 2, LLC

725 Howard Road Suite B

Camp Verde, AZ 86322

Office: (928) 567-8808 Fax: (928) 567-8809

April 7, 2005

Town of Camp Verde

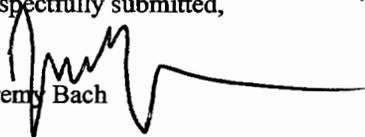
Re: Parcel# 403-21-015E

AZNORTH Development, INC. desires to use this property for a commercial complex consisting of not more than 41 lots.

The intent of AZNORTH Development, INC. is for this property to be a commercial complex to be named "~~Verde Commerce Center~~" for a commercial businesses in Camp Verde, Arizona.

Gateway Commercial Complex
Respectfully submitted,

Jeremy Bach



CASE NO. 2005-21

PROJECT NO. FP05-04

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
SUBDIVISION PLAT APPLICATION

REQUEST:	PRELIMINARY PLAT _____	04-08-05A09:10 RCVD
	FINAL PLAT <u>XX</u>	APPLICATION DATE _____
	CONCEPTUAL PLAN _____	ASSESSOR'S PARCEL NO. <u>403-22-019B ; 403-23-150A</u>
	AMENDED PLAT _____	<u>403-21-015E</u>
	RESUBDIVISION _____	PRESENT ZONING <u>C2-4</u>
	REVERSION TO ACREAGE _____	TAKEN BY <u>B. Quiro</u>
	SUBDIVISION NAME _____	FEES <u>\$1660⁰⁰</u>
	TRACT _____	HEARING DATE <u>5/5/05 & 5/11/05</u>

OWNER/DEVELOPER AZNORTH TOWNHOUSES NUMBER 2, LLC PHONE 928-567-8808 FAX 928-567-8809

ADDRESS 725 HOWARDS RD, STE. B CITY CAMP VERDE STATE AZ ZIP 86322

CONTACT PERSON _____

ENGINEER S.E.C. INC PHONE 928-282-7787 FAX 928-773-7999

ADDRESS 20 STUTZ BEAR CAT DR CITY SEDONA STATE AZ ZIP 86336

CONTACT PERSON _____

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY					
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL		41			SEE ATTACHED
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) _____ LINEAR FT OF STREETS _____

CASE NO. 2005-21
PROJECT NO. PP 05-03
FP 05-04

APPLICATION OF EXCEPTION

Note: Subdivision Regulations ILL.10. (Any waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc. shall be in the form of an application of exception specifying each requested waiver or variance and associated justification.)

ASSESSOR'S PARCEL NO. 403-22-019B 403-21-015E
403-23-150A PRESENT ZONING C2-4
SUBDIVISION GATEWAY COMMERCIAL COMPLEX EXISTING USE OF PROPERTY VACANT
ADDRESS OF PROPERTY HWY 260 CAMP VERDE

REQUESTED WAIVER OR VARIANCE:

SIDEWALKS to be 4' in width and located
adjacent to the top of the CURB, WITH NO PARKING
NO MEANDERING & NO RIGHT OF WAY, ON ONE SIDE OF THE STREET ONLY
IN ACCORDANCE WITH engineering drawings.
50' wide easement as per town standards

JUSTIFICATION

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

JMI
Signature of Applicant

5-4-05
Date

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT**

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: FP 05-04 PARCEL NO.: 403-22-019E
403-23-150A
403-21-015E

DATE: 4-7-05 LEGAL DESCRIPTION: AS ATTACHED

NAME: AZ NORTH TOWNHOUSES NUMBER 2, LLC.

ADDRESS: 725 HOWARDS RD. Camp Verde, AZ 86322

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is **OPTIONAL** and **VOLUNTARILY GIVEN** and may be withdrawn or revoked (either in writing or orally) at any time.

Henry M. Shill
Henry M. Shill
Applicant's Signature _____ Date Apr. 8, 05

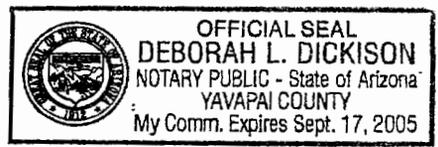
Agent for: AZ NORTH TOWNHOUSES NUMBER 2, LLC.

State of Arizona
Town of Camp Verde

On this 8 day of April, 2005 before me, the undersigned Notary Public, personally appeared Jeremy Bach Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.

Deborah L. Dickison
Notary Public
Sept 17, 05
Date Commission Expires

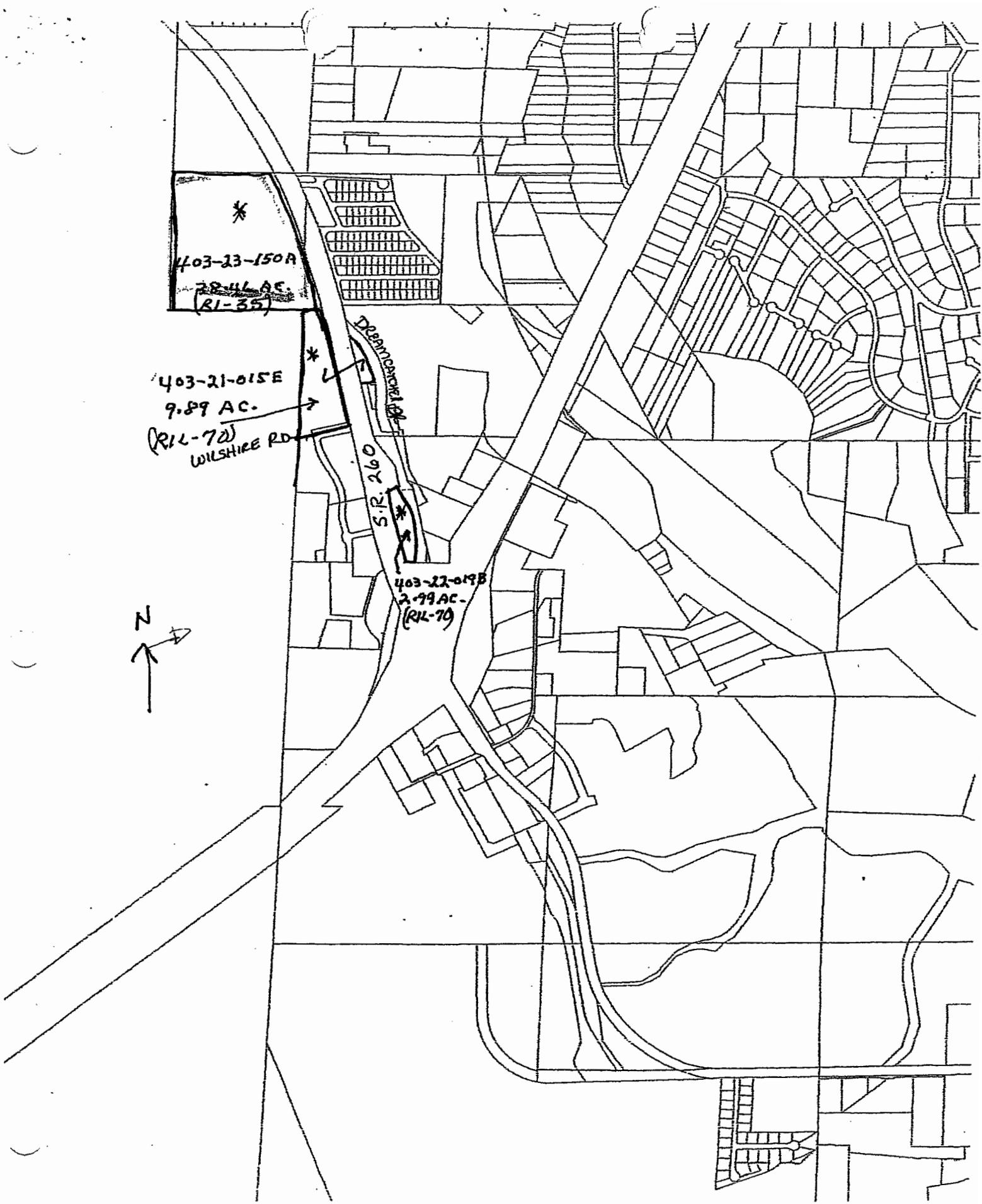


*
403-23-150A
28.46 AC.
(RI-35)

*
403-21-015E
9.89 AC.
(RI-70)
WILSHIRE RD.

DEANBOROUGH ST.
S.R. 260

*
403-22-019B
2.99 AC.
(RI-70)



DRAFT

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
GATEWAY COMMERCIAL COMPLEX

This Declaration of Covenants, Conditions and Restrictions (hereinafter the "Declarant"), made this 16th day of April 2005, by AZNorth Townhouses #2, LLC, an Arizona Limited Liability Company, (hereinafter the "Declarant").

WHEREAS, Declarant is the Owner of real property in Yavapai County, Arizona (hereinafter the "Property") more particularly described on Exhibit "A" attached hereto.

WHEREAS, Declarant desires to establish and maintain the commercial nature of the property for the benefit of all owners;

NOW, THEREFORE, Declarant declares that the Property is and shall be held, conveyed, encumbered, leased and used subject to the following covenants, conditions and restrictions which are for the purpose of enhancing and protecting the value of the Property. The covenants, conditions and restrictions set forth herein shall run with the Property; shall be binding upon all persona having any interest in the Property; shall inure to the benefit of and be binding upon Declarant, its successors, each Owner and their successors; and may be enforced by Declarant or its successors, by any Owner or their successors, or by any entity having an interest in the Property.

ARTICLE I

DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases shall have the following meanings:

"Declarant" means AZNorth Townhouses #2, LLC, an Arizona Limited Liability Company, its successors, or assigns.

"Declaration" shall mean the covenants, conditions and restrictions herein set forth in this entire document, as the same may be from time to time amended.

"Improvement" or "Improvements" shall mean any and all alterations of the land, other than interior modifications of existing structures.

"Lot" shall mean those parcels of real property shown on the recorded subdivision plat.

“Owner” shall mean (1) the record Owner, whether one or more persons of legal title in the fee simple of any Lot, or (2) the purchaser of a lot under a recorded executory contact for the sale of real property. The foregoing does not include persons who hold a interest in a lot as security for the performance of an obligation, or a lessee or tenant, or a purchaser under an executory contact of sale which has not “closed” and been recorded in the Office of County Recorder of Yavapai County, Arizona.

“Person” shall mean an individual or any other entity with the legal right to hold title to real property.

“Plat” shall mean the final subdivision plat for the Gateway Commercial Complex property recorded in the Office of the County Recorder of Yavapai County, Arizona.

“Property” or Subdivision” shall mean Gateway Commercial Complex, as described on the plat recorded in the Office of the Yavapai County Recorder.

“Unit” shall mean the structure constructed on a lot, designated to be used for commercial purposes.

ARTICLE II

USES AND RESTRICTIONS

2.01 Construction and Architectural Restrictions

- A. All structures erected on a lot must meet the Design and Review Standards of the Town of Camp Verde.
- B. All plans for building must be approved by the architectural board directed by AZNORTH Townhouses Number 2, LLC
- C. No metal facades are allowed on any structure that faces a road or Highway 260.
- D. There are no common areas or common parking areas in the subdivision. Each property owner will be responsible for its own business parking on its own lot.
- E. Unit colors must be earth-tone colors (i.e., browns, grays, soft greens, etc.). No bright or garish colors may be used.
- F. All construction shall be completed with six months from the commenced date of project approval.
- G. No temporary structures shall be placed on any lots, EXCEPT during the period of actual construction of a permanent type building, such necessary temporary structures as may be required may be allowed on lots during such period not to exceed 120 days.
- H. No auctions or sidewalk sales may be conducted on any lot.

2.02 Easements

There is hereby created a blanket easement upon, across, over and under the Property (including all lots) for ingress and egress, installing constructing, replacing, repairing, maintaining and operating all utilities. This provision shall in no way affect any other recorded easements on the Property.

2.03 Restrictions

- A. No livestock, including without limitation hogs, goats, horses, sheep cows or poultry or rabbits, shall be kept on any lots.
- B. No private or commercial residence shall be permitted on any lots.
- C. No waste, refuse or garbage shall be burned on these premises, but must be deposited into private garbage and refuse receptacles for which weekly pickup is provided by a collection service.
- D. No lot shall be used for commercial purposes prior to installation thereon of water flush toilets or sanitary conveniences, and all bathrooms, toilets or sanitary conveniences shall be inside of the building permitted hereunder.
- E. No lot shall be subdivided into smaller lots nor conveyed or encumbered in less than the full original dimensions of such lot, EXCEPT for purposes in connection with the installation or maintenance of public utilities, provided that this restriction shall not prevent the conveyance or encumbrance of adjoining, or contiguous lots or parts of lots in such manner as to create parcels of land in a common ownership having the same or a greater street frontage than the street frontage originally show. Thereafter, such parts of adjoining or contiguous lots in such common ownership shall, for the purposes of these restrictions be considered as on lot. Nothing herein contained shall prevent the dedication or conveyance of portions of lots for public utilities, in which event the remaining portion of any such lot, shall, for the purpose of this provision be treated as a whole lot.
- F. No lot shall at any time be used as a wrecking yard or junk yard: nor for any purposes in connection therewith, nor shall any lot be put to any use which will or may create a public or private nuisance or a hazard to the lawful use of any other property.

ARTICLE III

GENERAL PROVISIONS

Section 3.01. Term. The covenants, conditions and restrictions of this Declaration shall remain in full force and effect for a period of twenty (20) years from the date this Declaration is recorded. Thereafter, they shall be deemed to have been renewed and automatically extended for successive periods of ten (10) years each.

Section 3.02. Amendments. This Declaration may be amended at any time by an instrument in writing, signed by Owners representing sixty-seven percent (67%) of the Lots and approved by Declarant as long as Declarant owns any Lots.

Any amendment that does not apply equally to all lots within the subdivision must be approved by one hundred percent (100%) of the owners. All amendments shall be effective upon recordation with the Yavapai County Recorder.

Section 3.03. Enforcement and Non-waiver

- A. Enforcement. Except as otherwise provided herein, the Declarant or any Owner shall have the right to enforce, by any proceeding at law; all covenants, conditions and restrictions. Failure to enforce any of these restrictions, rights, regenerations, limitations, covenants and conditions contained herein shall not, in any event, be constructed or held to be waiver thereof or a consent to any further or succeeding breach or violation. Upon the breach of any of said covenants or restrictions, anyone owing or having interest in the lands covered by these restrictive covenants may bring an appropriate action in the proper court to enforce or restrain said violation or to compel compliance with the said covenants or restrictions herein contained or to collect damages on account thereof; provided, however, that a violation of these restrictive covenants, or any one or more of them, shall not affect the lien of any mortgage now of record, or which hereafter may be placed of record, upon said lots, or any part thereof, but provided further that these restrictive covenants shall, without limitation, apply to any lots acquired through foreclosure or any deed in lieu of foreclosure of any said mortgage. In the event legal action is brought to enforce any of the covenants or conditions set forth herein, the prevailing party in such action shall be entitled to recover its costs and attorney's fees. The use of any one or more of the remedies provided for in this paragraph shall not defeat the lien of a purchase money or construction mortgage or deed of trust made in good faith and for value.
- B. Prerequisite to Litigation. In the event of a dispute between an Owner or Declarant, the complainant, as a condition precedent to instituting legal action, must first serve notice in writing on respondent advising them of the alleged grievance, the results desired, and a date for compliance.

Section 3.04. Construction

- A. Interpretation. The provisions of this Declaration shall be liberally constructed to effectuate the purpose of creating a uniform plan for the development and operation of the subdivision. This Declaration shall be construed and governed by the laws of the State of Arizona. The subdivision shall be subject to any and all rights and privileges which the Town of Camp Verde, County of Yavapai, or the State of Arizona may have acquired through dedication or the filing or recording of maps or plats of said

property, as authorized by law, and provided further that no conditions, restrictions or privileges or acts performed shall be in conflict with any Town of Camp Verde Planning and Zoning Ordinance or law or any Yavapai County Zoning Ordinance or law.

- B. Restrictions Severable. Each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity of any provision thereof shall not affect the validity or enforceability of any other provision.
- C. Rules Against Perpetuities. In the event the provisions hereunder are declared void by a court of proper jurisdiction by reason of the period of time herein stated for which the same shall be effective, then, in the event, said periods of time shall be reduced to a period of time which shall not violate the rules against perpetuities as set forth in the laws of the State of Arizona.
- D. Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural, and the plural the singular; and the masculine shall include the feminine or neuter, and the feminine the masculine or neuter.
- E. Captions. All captions and titles used in this Declaration are intended solely for convenience or reference purposes only and in no way define, limit or describe the true intent and meaning of the provisions hereof.

Section 3.05. Delivery of Notices

Any written notice required by this Declaration may be delivered either personally or by mail. If by mail, it shall be deemed to have been delivered five (5) days after it has been deposited in the United States mail, postage prepaid, addressed as follows: if to an Owner, to the address of the Owner within the subdivisions.

Section 3.06. Binding Effect

By acceptance of a deed or acquiring any ownership interest in any of the Property affected by this Declaration, each person, their heirs, personal representatives, successors and assigns, binds themselves, and their heirs, personal representatives, successors and assigns to all of the covenants, conditions and restrictions imposed by this Declaration. In addition, each such person by doing thereby acknowledges that this Declaration sets forth a general scheme for the Property and hereby evidences their intent that all of the covenants, conditions and restrictions contained herein shall run with the land and be binding on all future Owners. Furthermore, each such person acknowledges that this Declaration shall be mutually beneficial, and enforceable by future Owners.

IN WITNESS WHEREOF, Declarant has executed this Declaration the date and year first above written.

AZNorth Townhouses #2, LLC

STAFF REPORT

Council meeting of: May 18, 2005 – Regular Session

Title: Discussion, consideration, and possible award of bid for Picnic Tables for \$13,021.16.

Budgeted item: Yes, CIP

Description of Item: Purchase twenty-six picnic tables for the Ramada and the parks.

Staff Recommendation: Approve the award to Recreation Design Concepts for \$13,021.16.

Comments: There were five bids with Recreation Design Concepts being the lowest. This amount exceeds the \$12,000 set aside in the CIP budget. We were \$5,000 under budget on Christmas decorations and also under budget on the Bobcat by \$17,000. We were in hopes of picking the tables up in Gilbert to save on the shipping charges, but they do not have but a couple of tables in stock, so they will have to be shipped.

Attachments: Yes

Prepared by: Lynda Moore

**Town of Camp Verde
Picnic Tables
Tabulation of Bids Received Tuesday,**

May 3, 2005 3:00 P.M.

BIDDER

CITY/STATE

**TOTAL BID
AMOUNT**

**Present: Lynda Moore, Parks & Recreation Director
Sheri Bentley, Parks & Recreation Administrative Assistant**

1. Highland Products Group	Baco Raton, FL	\$13,115.17
2. Creative Pipe Inc.	Rancho Mirage, CA	\$13,660.00
3. RJ Thomas Mfg.	Cherokee, Iowa	\$17,946.32
4. Diversified Metal Fabricators	Smithville, MO	\$14,604
5. Recreation Design Concepts	Gilbert, AZ	\$13,021.16
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

TOWN OF CAMP VERDE
REQUEST FOR PROPOSALS
PICNIC TABLES
TOWN OF CAMP VERDE
PROPOSAL NUMBER P & R 05-003
PROPOSAL FORM

1. 24 - 8ft. Tables	<u>Webcoat</u> T8RC	\$ <u>9742.00</u>
2. 2 - 8ft. ADA Tables	T8RCHDPACT	\$ <u>760.00</u>
3. Shipping		\$ <u>1700.00</u>
4. Tax		\$ <u>819.16</u>
	<u>Total</u>	\$ <u>13021.16</u>



Colors are on page 11 of catalog.



OFFER AND CONTRACT AWARD

Town of Camp Verde
Parks & Recreation Director
P.O. Box 710
Camp Verde, Arizona 86322

Invitation for Bid: P & R 05-003
Submit the original of this form to the Town.

OFFER

To the Town of Camp Verde:

The Undersigned hereby offers and agrees to furnish the labor in compliance with all terms, conditions, specifications and amendments in the Solicitation and any written exceptions in the offer. Signature also certifies by signing and submitting this offer that they have the legal authority to enter into a contract with the Town.

For clarification of this offer, contact:

Name: JD Johnson
Phone: 480-890-8393

Fax No.: 480-844-9194

RECREATION DESIGN CONCEPTS
P.O. Box 1377
Gilbert, AZ 85299-1377
(800) 678-0247 (480) 890-8393
www.recreationdesignconcepts.com

City State Zip

Signature of Person Authorized to Sign Offer

[Handwritten Signature]

Printed Name

JD Johnson

Title

pres

Date

4/15/05

ACCEPTANCE OF OFFER AND CONTRACT AWARD (For Town of Camp Verde Use Only)

Your offer is hereby accepted.

The contractor is now bound to provide services or construction listed by the attached award notice based upon the solicitation, including all terms, conditions, specifications, amendments, etc., and the Contractor's offer as accepted by the Town of Camp Verde.

This contract shall henceforth be referred to as Contract No. P&R 05-003. The Contractor is hereby cautioned not to commence any billable work or provide any material, service or construction under this contract until Contractor receives an executed purchase order.

Awarded this _____ day of _____ 2005.

Lynda Moore, Parks & Recreation Director

Specifications

Scope of Work

The Town of Camp Verde is looking to purchase (24) twenty four 8 ft. vinyl covered picnic tables and (2) two 8 ft. vinyl coated ADA picnic tables for our community parks and ramada.

ADA Tables

2 3/8" OD Frame - free standing with anchor holes - 8 ft. table top with 6 ft. seats. Vinyl coated tabletops and benches with powder coated frames and supports.

Tables

2 3/8" OD Frame - free standing with anchor holes - 8 ft. table top and seats. Vinyl coated tabletops and benches with powder coated frames and supports.

STAFF REPORT

Council meeting of: May 18, 2005 – Regular Session

Title: Discussion, consideration, and possible approval of a \$2,500 donation to the Camp Verde Senior Citizen's Center to be used for paint, tile, door repair, and landscaping supplies.

Budgeted item: No. This amount will come from the General Fund contingency.

Description of Item: The Senior Citizen's Center Board contacted staff and expressed concerns that their building is beginning to deteriorate. They are also concerned with low membership and using reserves to keep the Center operating. This donation will help take care of some of the immediate concerns with the building.

Staff Recommendation: Approve the donation.

Comments: Staff suggested that the Dial-A-Ride project might aid in increasing membership and participation, and we offered to assist the Center with planning social and recreational activities. We also offered to contact the Friends of Camp Verde to find out if they would be willing to provide the labor required to make some of these repairs. Finally, we suggested that we might be able to use our next round of CDBG funds to help with the project.

Attachments: No

Prepared by: Bill Lee

STAFF REPORT

Council Meeting of: May 18, 2005

Title: Discussion, consideration and possible direction to staff to go out to bid for Sewer Master Plan along SR 260 from Steve Coury back towards the Sanitary District Boundary.

Description of Item: Currently, the Town of Camp Verde does not have sewer service along SR 260. To plan for this infrastructure we should begin with having a master plan study.

Comments: Allowing staff to begin work now will help us be prepared on possible award of the bid once we hear back on our WIFA Application.

Staff Recommendation: Give direction to staff go out to bid for services to provide the town the needed information that will allow us to plan on how best to service the area along 260 with sewer services. In addition, this is an unbudgeted item. Therefore, staff recommends that we use the funds available that will be provided by the Yavapai Apache Nation. We should soon learn about our application to WIFA grant funding for \$35,000.

Attachments: Yes No

Is This a Budgeted Item: N/A YES NO

Prepared by: Bill Lee

Town of Camp Verde

American Flag Rules & Regulations, American Flag Etiquette and Test

Items

- 1) Flag rules & Regulations (specifically pages 7-12).
- 2) American Flag Etiquette (answers of the most common questions) page #1 of 2
- 3) Test & answers U. S. Flag Etiquette.
- 4) Interesting facts about the U. S. Flag.

Town's Procedures and Responsibility's of the Flying / Display of the American Flag

1) All Flag poles sights to have proper lighting / with procedures to have lighting checked or have the Flag lowered and stored properly before sunset every day.

2) Flags to be all - weather type Flag.

1A) Hallet Plaza has proper lighting at this time, Implement procedure to check lighting nightly.

1 A.1) Procedure to have lighting checked nightly: The Marshals office to implement new procedure, Dispatcher to call Deputies to check once between sunset and midnight & once after midnight and sunrise.

If not lighted properly - 2 (Two) Deputies to lower and store at the Marshals office until reporting the lighting problem and delivering the Flag, to the Towns Maintenance department, the next working day. Maintenance to repair lighting & restore Flag to its proper place.

If not lighted and the Deputies are to busy with calls/traffic, etc. Dispatcher to refer to established phone list (example VFW, American Legion, town staff, etc.) to have the Flag properly cared for as mentioned previously.

1B) Butler Park doesn't have lighting at this time.

1B.1) Action necessary - Direct staff to install lighting at Butler Park, and implement light checking procedure.

Main Street Flags - Lighting

Should be per Section 6d.

Especially [My (Chet's) opinion]

Memorial Day (1/2 / Full)

Flag Day

Independence Day

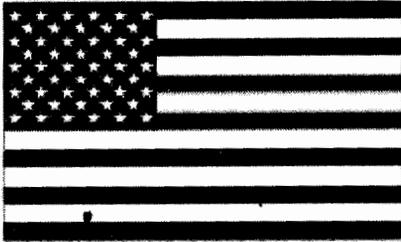
Labor Day

Veterans Day



Flag Rules and Regulations

How to Fold the Flag



©2004 ushistory.org

Fold the flag in half width-wise twice. Fold up a triangle, starting at the striped end ... and repeat ... until only the end of the union is exposed. Then fold down the square into a triangle and tuck inside the folds.

If your browser doesn't show animated gifs, [click here](#)

Also on this page:

[How to Display the Flag](#)

[Flag Sizes](#)

[Other Questions](#)

[Flag Rules and Regulations](#)

How to Display the Flag

[PRINTER FRIENDLY VERSION](#)



1. When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.



2. The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right [*that means the viewer's left --Webmaster*], and its staff should be in front of the staff of the other flag.



3. The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. By "half-staff" is meant lowering the flag to one-half the distance between the top and bottom of the staff. Crepe streamers may be affixed to spear heads or flagstaves in a parade only by order of the President of the United States.



4. When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should always be at

the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the right of the flag of the United States.



5. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.



6. When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff.



7. When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.



8. When the flag is displayed in a manner other than by being flown from a staff, it should be displayed flat, whether indoors or out. When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left.

When displayed in a window it should be displayed in the same way, that is with the union or blue field to the left of the observer in the street. When festoons, rosettes or drapings are desired, bunting of blue, white and red should be used, but never the flag.



9. That the flag, when carried in a procession with another flag, or flags, should be either on the marching right; that is, the flag's own right, or, if there is a line of other flags, in front of the center of that line.



10. The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.



11. When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.

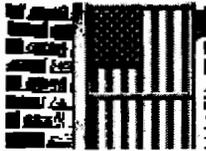


12. When displayed from a staff in a church or public auditorium on or off a podium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any

other flag so displayed should be placed on the left of the clergyman or speaker (to the right of the audience).



13. When the flag is displayed on a car, the staff shall be fixed firmly to the chassis or clamped to the right fender.



14. When hung in a window, place the blue union in the upper left, as viewed from the street.

Flag Sizes

What size flag should hang on what size flagpole? The usual size of a flag used at home is 3'x5'. On houses, a 15' or 20' flagpole should fly a 3'x5' flag. A 25' flagpole should use a 4'x6' flag.

The following table shows the appropriate size for public display (not home-use) of the flag:

flagpole	flag	flagpole	flag
20'	4'x6'	50'	8x12'-10x15'
25'	5'x8'	60'-65'	10'x15'-10'x19'
30'-35'	6'x10'	70'-80'	10'x19'-12'x18'
40'-45'	6'x10-8'x12'	90'-100'	20'x38'-30'x50'

Flag Code Violations in the News



Super Bowl 2004, Janet Jackson's "costume malfunction" made international news; that same half-time show featured the wearing of an American flag by performer Kid Rock. He later removed the flag poncho and hurled it over his head. Section 8d. reads, "The flag should never be used as wearing apparel." Click picture for enlargement. Photo credit: Reuters

Other Questions

- **My flag is old and ready to be retired. What should I do?**

Section 8k of the Flag Code (see below) states, "The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning." We recommend that you contact your local VFW Chapter and ask them for help properly disposing of your flag. And be sure to consider providing a small donation to them for their assistance. Or you can contact your local Elks Lodge (who created the idea of Flag Day, established officially by President Truman, himself a member of the Elks) or the American Legion. Some Boy Scout and Girl Scout troup also can

provide this service.

- **Is it appropriate to fly a flag that has fewer than 50 stars?**

Yes. There is nothing wrong in flying a historic flag.

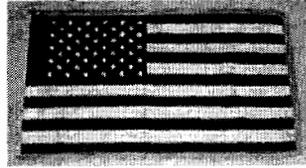
- **Is it okay to fly a flag that was used to drape a coffin?**

The Flag Code makes no reference to this use, but consensus among experts is that yes, it would be an honor to display the flag to show patriotism.

- **My flag touched the ground. Do I need to destroy it?**

No. You should, of course, try to avoid having the flag touch the ground. But if it does, you should correct the situation immediately. If the flag has been dirtied, you should clean it by hand with a mild soap solution and dry it well before returning it to use.

- **What does the fringe on the flag represent?**



The gold trim is found on ceremonial flags, to be used indoors and for ceremonies only. They originally were used on military flags. The fringe has no specific significance, but is considered completely within the guidelines of proper flag etiquette. There is nothing in the flag code indicating that the fringe is for federal government flags only. The Internet contains many sites that claim that the fringe indicates martial law or that the Constitution does not apply in that area. These are entirely unfounded (usually citing [Executive Order 10834](#) and inventing text that is not part of the order) and should be dismissed as urban legends.

- **Should I fly my flag at half-mast today?**

Your flag should be flown at half-mast upon reliable information that a past or present President or Vice-President has died. It should also be flown at half-staff upon Presidential proclamation. See Section 7-M below for more information.

- [National Pearl Harbor Remembrance Day, December 7, 2004](#)
- [Patriot Day, September 11, 2004](#)

- **Can my company decide to fly our flag at half-mast for a former employee?**

No. Only the president of the US or your state governor can order the flag lowered to half-staff.

- **Upon the death of a sitting or former President how long does the flag fly at half-mast? For a Vice-President?**

30 days for the death of a sitting or former President. 10 days for the death of a Vice President. See section 7-m below for more information.

- **How can I show mourning if my flag is on a fixed pole or staff and can't be half-masted?**

The flag rules make no provisions for this. However, army regulations state, "A streamer of black crepe 7 feet long and 1 foot wide will be attached to the staff immediately below the spearhead of the U.S. flag."

- **I am thinking of getting a flag tattoo. Is it okay?**

There is nothing in the Flag Code about tattoos. The question is one of respect for the flag. In this case one person's respect is another's disrespect, and we advise against a flag tattoo. Perhaps an American eagle would look good?

- **What is the meaning of the folds in a flag-folding ceremony?**

There is no reference to meaning of the folds in the Flag Code. There is, however, a popular [flag-folding ceremony](#).

- **Is Texas's the only state flag allowed to fly at the same height as the US flag?**

No, this is an urban legend. All state flags may fly at the same height as the U.S. flag. The

U.S. flag must be on its right (the viewer's left), however. Texas's laws are consistent with those of the other states. See [Texas flag code](#).

- **Does the ball ornament atop a flagpole contain a razor, lighter, and flare?**

No. This is just an urban legend. One explanation is that the myth started during the Cold War and that the objects were to be used to destroy the flag in the event of a Soviet invasion. Of course, the ball ornament predates the Cold War by many years.

- **Is it okay to have a flag t-shirt with words written on it?**

No, the flag should never be worn and no, the flag should never have marks or words written upon it. Section 8d (see below): "The flag should never be used as wearing apparel." Section 8g: "The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature."

- **Is it okay to use flag napkins or flag paper plates?**

No. Section 8i (see below) reads: "It should not be ... printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard."

- **Is it okay for an advertisement to use the flag?**

No. Section 8i (see below) reads, "The flag should never be used for advertising purposes in any manner whatsoever."



- **Where does the flag fly 24 hours a day?**

Untold thousands of places. Section 6a: "when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness." Of course it flies 24 hours a day on the Moon. There is an elite group where, by executive order, it is to fly 24 hours a day, including the Betsy Ross House. See list immediately following these questions.

- **I fly my flag at home 24 hours a day. What does "properly illuminated" mean?**

Section 6a: "when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness." The Flag Rules offer no additional guidance on this question. We interpret this to mean that there is either a light directly upon the flag or that there is sufficient local lighting to make the flag easily visible at night.

- **When children paint the American flag, is that against the Flag rules and regulations?**

Respectfully featuring the American flag in artwork is a wonderful thing and should be encouraged. We would hope that the artwork is preserved and displayed proudly by the young artists and their families.

- **What does the Flag Code say about displaying the flag horizontally, as before a football game?**



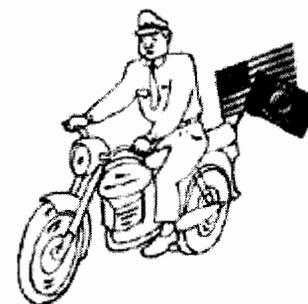
Section 8c. reads, "The flag should never be carried flat or horizontally, but always aloft and free."

- **Why is the flag sometimes backwards on the side of airplanes, buses, and other vehicles?**

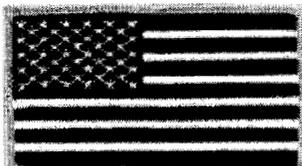
The flag decals have the union (the blue area with the stars) on the side closer to the front of the plane. On the plane's left, the decal shows the flag with the union at the left, as usual. On the plane's right side, the union is on the right. This is done so that the flag looks as if it is blowing in the wind created by the forward movement. You can see this on cars and trucks as well. Click to see pictures of the flag decals on [Air Force 1](#).

- **On my motorcycle, I have two flags, the US flag and a POW/MIA flag. How should they be positioned?**

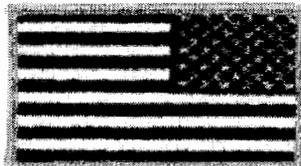
The US flag should always be on its right, as shown in this picture. The POW/MIA or other flag flies on its left, which is the viewer's right, facing the motorcycle.



- **What is the proper way to wear a flag patch on one's shoulder sleeve?**



Left Flag



Right or "reversed field" flag

To wear our country's flag properly, the field of stars should be worn closest to your heart. Thus, if your patch is to be worn on your LEFT sleeve, use a left flag. For patches worn on your RIGHT sleeve, use a "right" or "reversed field" flag. Since the law does not specifically address the positioning of the patch, a decision is left to the discretion of the organization prescribing the wear. Some elect to use the "left" flag on both sleeves. [Note: many states and cities have ordinances pertaining to the use of the flag; you may wish to contact the Attorney General of your state or the City Attorney's office regarding this matter.] If you are planning to wear only one patch, it is recommended that you wear a "left" flag on your left sleeve. Military guidelines specify that in support of joint or multi-national operations, the "right" flag is worn on the right sleeve, 1/4" below the shoulder seam or 1/8" below any required unit patches.

Source: [Army Website FAQs](#)

- **Isn't the American flag stamp in violation of the flag rules?**



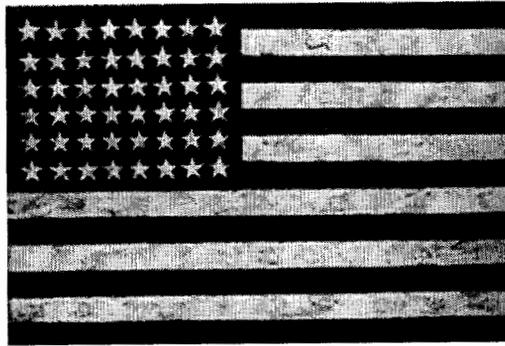
37¢ stamp

This question has been asked by dozens of visitors to this page. The answer appears to be yes. Section 8e. (see below) reads, "The flag should never be ... used ... in such a manner as to permit it to be easily torn, soiled, or damaged in any way." Section 8g. reads, "The flag should never have placed upon it, nor on any part of it, nor attached to it any mark ... of any nature." 8i. reads, "[The flag] should not be printed or otherwise impressed on ... anything that is designed for temporary use and discard."

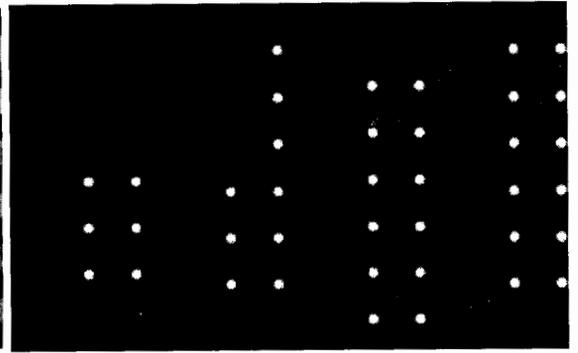
- **What is a flag?**

This question does not have an obvious answer. Our conclusion is that the flag is that which we recognize to be the flag. The pictures below are all understood to be flags, even with little or inaccurate visual information, or existing in light, or with the parts of the flag in a different arrangement. These are not shown as examples of violations of the flag rules.

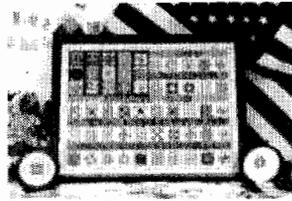
These examples are all recognized as being flags:



Jasper Johns flag



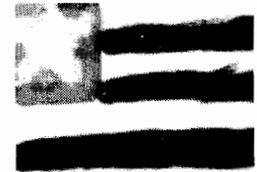
animation experiment



flag quilt



flag on a scoreboard



child's drawing



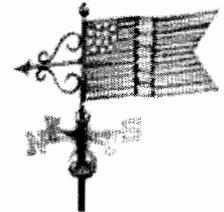
flag car



flag Christmas tree



flag umbrella



weathervane

Flag Rules and Regulations

By Executive Order, the flag flies 24 hours a day at the following locations:

- The Betsy Ross House, Philadelphia, Pennsylvania
- The White House, Washington, D.C.
- U.S. Capitol, Washington, D.C.
- Washington Monument, Washington, D.C.
- Iwo Jima Memorial to U.S. Marines, Arlington, Virginia
- Battleground in Lexington, MA (site of first shots in the Revolutionary War)
- Winter encampment cabins, Valley Forge, Pennsylvania
- Fort McHenry, Baltimore, Maryland (a flag flying over Fort McHenry after a battle during the War of 1812 provided the inspiration for *The Star-Spangled Banner*)
- The Star-Spangled Banner Flag House, Baltimore, Maryland (site where the famed flag over Fort McHenry was sewn)
- Jenny Wade House in Gettysburg, Pennsylvania (Jenny Wade was the only civilian killed at the battle of Gettysburg)
- U.S.S. Arizona Memorial, Pearl Harbor, Hawaii
- All custom points and points of entry into the United States

Title 4, Chapter 1: The Flag

Sec. 1. — Flag; stripes and stars on

The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars *[Note that sec. 2 which follows provides for additional stars. Today the flag has fifty stars representing the fifty states - Webmaster]*, white in a blue field

Sec. 2. — Same; additional stars

On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission

***Sec. 3. [This section relates only to the District of Columbia and is being omitted here -Webmaster]**

Sec. 4. — Pledge of allegiance to the flag; manner of delivery

The Pledge of Allegiance to the Flag, "I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.", should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Persons in uniform should remain silent, face the flag, and render the military salute

Sec. 5. — Display and use of flag by civilians; codification of rules and customs; definition

The following codification of existing rules and customs pertaining to the display and use of the flag of the United States of America be, and it is hereby, established for the use of such civilians or civilian groups or organizations as may not be required to conform with regulations promulgated by one or more executive departments of the Government of the United States. The flag of the United States for the purpose of this chapter shall be defined according to title 4, United States Code, Chapter 1, Section 1 and Section 2 and Executive Order 10834 issued pursuant thereto.

Sec. 6. — Time and occasions for display

- a. It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstaves in the open. However, when a patriotic effect is desired, the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness.
- b. The flag should be hoisted briskly and lowered ceremoniously.
- c. The flag should not be displayed on days when the weather is inclement, except when an all-weather flag is displayed.
- d. The flag should be displayed on all days, especially on
 - o New Year's Day, January 1
 - o Inauguration Day, January 20
 - o Martin Luther King Jr.'s birthday, third Monday in January
 - o Lincoln's Birthday, February 12
 - o Washington's Birthday, third Monday in February
 - o Easter Sunday (variable)
 - o Mother's Day, second Sunday in May
 - o Armed Forces Day, third Saturday in May
 - o Memorial Day (half-staff until noon), the last Monday in May

- Flag Day, June 14
 - Independence Day, July 4
 - Labor Day, first Monday in September
 - Constitution Day, September 17
 - Columbus Day, second Monday in October
 - Navy Day, October 27
 - Veterans Day, November 11
 - Thanksgiving Day, fourth Thursday in November
 - Christmas Day, December 25
 - and such other days as may be proclaimed by the President of the United States
 - the birthdays of States (date of admission)
 - and on State holidays.
- e. The flag should be displayed daily on or near the main administration building of every public institution.
- f. The flag should be displayed in or near every polling place on election days.
- g. The flag should be displayed during school days in or near every schoolhouse.

Sec. 7. — Position and manner of display

- a. The flag should not be displayed on a float in a parade except from a staff, or as provided in subsection (i) of this section.
- b. The flag should not be draped over the hood, top, sides, or back of a vehicle or of a railroad train or a boat. When the flag is displayed on a motorcar, the staff shall be fixed firmly to the chassis or clamped to the right fender.
- c. No other flag or pennant should be placed above or, if on the same level, to the right of the flag of the United States of America, except during church services conducted by naval chaplains at sea, when the church pennant may be flown above the flag during church services for the personnel of the Navy. No person shall display the flag of the United Nations or any other national or international flag equal, above, or in a position of superior prominence or honor to, or in place of, the flag of the United States at any place within the United States or any Territory or possession thereof: Provided, That nothing in this section shall make unlawful the continuance of the practice heretofore followed of displaying the flag of the United Nations in a position of superior prominence or honor, and other national flags in positions of equal prominence or honor, with that of the flag of the United States at the headquarters of the United Nations.
- d. The flag of the United States of America, when it is displayed with another flag against a wall from crossed staffs, should be on the right, the flag's own right, and its staff should be in front of the staff of the other flag.
- e. The flag of the United States of America should be at the center and at the highest point of the group when a number of flags of States or localities or pennants of societies are grouped and displayed from staffs.
- f. When flags of States, cities, or localities, or pennants of societies are flown on the same halyard with the flag of the United States, the latter should

- always be at the peak. When the flags are flown from adjacent staffs, the flag of the United States should be hoisted first and lowered last. No such flag or pennant may be placed above the flag of the United States or to the United States flag's right.
- g. When flags of two or more nations are displayed, they are to be flown from separate staffs of the same height. The flags should be of approximately equal size. International usage forbids the display of the flag of one nation above that of another nation in time of peace.
 - h. When the flag of the United States is displayed from a staff projecting horizontally or at an angle from the window sill, balcony, or front of a building, the union of the flag should be placed at the peak of the staff unless the flag is at half-staff. When the flag is suspended over a sidewalk from a rope extending from a house to a pole at the edge of the sidewalk, the flag should be hoisted out, union first, from the building.
 - i. When displayed either horizontally or vertically against a wall, the union should be uppermost and to the flag's own right, that is, to the observer's left. When displayed in a window, the flag should be displayed in the same way, with the union or blue field to the left of the observer in the street.
 - j. When the flag is displayed over the middle of the street, it should be suspended vertically with the union to the north in an east and west street or to the east in a north and south street.
 - k. When used on a speaker's platform, the flag, if displayed flat, should be displayed above and behind the speaker. When displayed from a staff in a church or public auditorium, the flag of the United States of America should hold the position of superior prominence, in advance of the audience, and in the position of honor at the clergyman's or speaker's right as he faces the audience. Any other flag so displayed should be placed on the left of the clergyman or speaker or to the right of the audience.
 - l. The flag should form a distinctive feature of the ceremony of unveiling a statue or monument, but it should never be used as the covering for the statue or monument.
 - m. The flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the President, the flag shall be flown at half-staff upon the death of principal figures of the United States Government and the Governor of a State, territory, or possession, as a mark of respect to their memory. In the event of the death of other officials or foreign dignitaries, the flag is to be displayed at half-staff according to Presidential instructions or orders, or in accordance with recognized customs or practices not inconsistent with law. In the event of the death of a present or former official of the government of any State, territory, or possession of the United States, the Governor of that State, territory, or possession may proclaim that the National flag shall be flown at half-staff. The flag shall be flown at half-staff 30 days from the death of the President or a former President; 10 days from the day of death of the Vice President, the Chief Justice or a retired Chief Justice of the United States, or the Speaker of the House of Representatives; from the day of death until interment of an Associate Justice of the Supreme Court, a Secretary of an executive or military department, a former Vice President, or the Governor of a State, territory, or possession; and on the day of death and

the following day for a Member of Congress. The flag shall be flown at half-staff on Peace Officers Memorial Day, unless that day is also Armed Forces Day. As used in this subsection -

1. the term "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff;
 2. the term "executive or military department" means any agency listed under sections 101 and 102 of title 5, United States Code; and
 3. the term "Member of Congress" means a Senator, a Representative, a Delegate, or the Resident Commissioner from Puerto Rico.
- n. When the flag is used to cover a casket, it should be so placed that the union is at the head and over the left shoulder. The flag should not be lowered into the grave or allowed to touch the ground.
- o. When the flag is suspended across a corridor or lobby in a building with only one main entrance, it should be suspended vertically with the union of the flag to the observer's left upon entering. If the building has more than one main entrance, the flag should be suspended vertically near the center of the corridor or lobby with the union to the north, when entrances are to the east and west or to the east when entrances are to the north and south. If there are entrances in more than two directions, the union should be to the east

Sec. 8. — Respect for flag

No disrespect should be shown to the flag of the United States of America; the flag should not be dipped to any person or thing. Regimental colors, State flags, and organization or institutional flags are to be dipped as a mark of honor.

- a. The flag should never be displayed with the union down, except as a signal of dire distress in instances of extreme danger to life or property.
- b. The flag should never touch anything beneath it, such as the ground, the floor, water, or merchandise.
- c. The flag should never be carried flat or horizontally, but always aloft and free.
- d. The flag should never be used as wearing apparel, bedding, or drapery. It should never be festooned, drawn back, nor up, in folds, but always allowed to fall free. Bunting of blue, white, and red, always arranged with the blue above, the white in the middle, and the red below, should be used for covering a speaker's desk, draping the front of the platform, and for decoration in general.
- e. The flag should never be fastened, displayed, used, or stored in such a manner as to permit it to be easily torn, soiled, or damaged in any way.
- f. The flag should never be used as a covering for a ceiling.
- g. The flag should never have placed upon it, nor on any part of it, nor attached to it any mark, insignia, letter, word, figure, design, picture, or drawing of any nature.
- h. The flag should never be used as a receptacle for receiving, holding, carrying, or delivering anything.

- i. The flag should never be used for advertising purposes in any manner whatsoever. It should not be embroidered on such articles as cushions or handkerchiefs and the like, printed or otherwise impressed on paper napkins or boxes or anything that is designed for temporary use and discard. Advertising signs should not be fastened to a staff or halyard from which the flag is flown.
- j. No part of the flag should ever be used as a costume or athletic uniform. However, a flag patch may be affixed to the uniform of military personnel, firemen, policemen, and members of patriotic organizations. The flag represents a living country and is itself considered a living thing. Therefore, the lapel flag pin being a replica, should be worn on the left lapel near the heart.
- k. The flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed in a dignified way, preferably by burning

Sec. 9. — Conduct during hoisting, lowering or passing of flag

During the ceremony of hoisting or lowering the flag or when the flag is passing in a parade or in review, all persons present except those in uniform should face the flag and stand at attention with the right hand over the heart. Those present in uniform should render the military salute. When not in uniform, men should remove their headdress with their right hand and hold it at the left shoulder, the hand being over the heart. Aliens should stand at attention. The salute to the flag in a moving column should be rendered at the moment the flag passes

Sec. 10. — Modification of rules and customs by President

Any rule or custom pertaining to the display of the flag of the United States of America, set forth herein, may be altered, modified, or repealed, or additional rules with respect thereto may be prescribed, by the Commander in Chief of the Armed Forces of the United States, whenever he deems it to be appropriate or desirable; and any such alteration or additional rule shall be set forth in a proclamation

References:

- [US CODE COLLECTION](#), Cornell University
- [US Code](#), GPO
- [Army Regulation 840-10](#) [PDF Acrobat format]
- [Navy Flag Regulations Navy NTP-13B](#) [PDF Acrobat format]

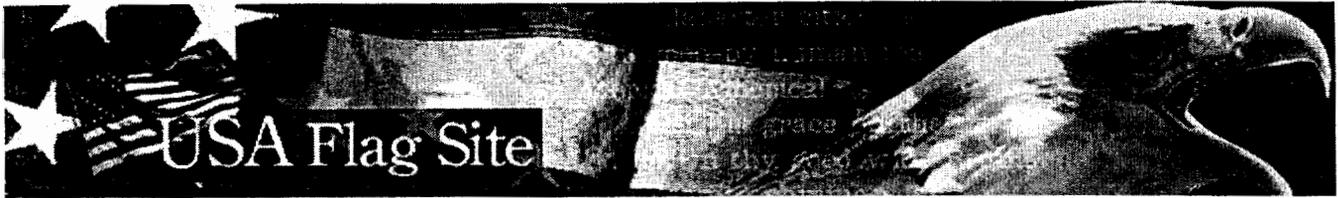
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American Flag Etiquette.

Federal law stipulates many aspects of flag etiquette. The section of law dealing with American Flag etiquette is generally referred to as the Flag Code. Some general guidelines from the Flag Code answer many of the most common questions:

- The flag should be lighted at all times, either by sunlight or by an appropriate light source.
- The flag should be flown in fair weather, unless the flag is designed for inclement weather use.
- The flag should never be dipped to any person or thing. It is flown upside down only as a distress signal.
- The flag should not be used for any decoration in general. Bunting of blue, white and red stripes is available for these purposes. The blue stripe of the bunting should be on the top.
- The flag should never be used for any advertising purpose. It should not be embroidered, printed or otherwise impressed on such articles as cushions, handkerchiefs, napkins, boxes, or anything intended to be discarded after temporary use. Advertising signs should not be attached to the staff or halyard.
- The flag should not be used as part of a costume or athletic uniform, except that a flag patch may be used on the uniform of military personnel, fireman, policeman and members of patriotic organizations.
- The flag should never have any mark, insignia, letter, word, number, figure, or drawing of any kind placed on it, or attached to it.
- The flag should never be used for receiving, holding, carrying, or delivering anything.
- When the flag is lowered, no part of it should touch the ground or any other object; it should be received by waiting hands and arms. To store the flag it should be folded neatly and ceremoniously.
- The flag should be cleaned and mended when necessary.
- When a flag is so worn it is no longer fit to serve as a symbol of our country, it should be destroyed by burning in a dignified manner.

Read a more comprehensive set of flag etiquette [rules for display of the American Flag](#).

Our goal is to do our small part to inspire pride in this great country of ours. If you have suggestions or comments for us, we'd appreciate your dropping us a note by clicking [here](#).

If you'd like to spread the word and help others find USA Flag Site, you can [link to us](#) from your web site.



Test your knowledge of U.S. flag etiquette

1. True or False! The flag may be flown every day and in any weather condition.
2. True or False: The flag is usually flown from sunrise to sunset.
3. Can the flag be flown at night?
4. We've noted times when the flag can be flown, but when is the flag expected to be flown?
5. What pace do you use when hoisting and lowering the flag?
6. When should a flag be flown at half-staff?
7. What must you do before setting a flag at half-staff, or when lowering a flag from half-staff?
8. On what day do you fly the flag at half-staff until noon, and then hoist it to full-staff?
9. When is the only time a United States flag should be flown upside down?
10. What is the rope or cord on a flagpole called?
11. How many people (minimum) should be used to raise the flag? Why?
12. When the flag has left the arms of the first person, what should he or she do?
13. What is important to remember when flying the US flag with any state or auxiliary flag?
14. What about with other national flags such as at the Olympic games?
15. Should a flag be carried flat during parades?
16. On what side should the flag be placed during a parade if carried with other flags arranged in a row?
17. When is it appropriate to dip the flag in salute during a parade or procession?
18. When displayed on a staff, on what side of the speaker should the flag be placed in a church, synagogue, temple or auditorium?
19. When displayed hanging vertically, what side should the blue field be on?
20. When hung over the center of a street, which direction should the blue field of the flag face?
21. How and when should a flag be disposed of?
22. When does the flag outside the White House not fly?

ANSWERS

1. True or False: The flag may be flown every day and in any weather condition.

True, as long as it is made of all-weather material.

2. True or False: The flag is usually flown from sunrise to sunset.

True.

3. Can the flag be flown at night?

Yes, but only if it is properly lit.

4. We've noted times when the flag can be flown, but when is the flag expected to be flown?

On all national and state holidays and other days proclaimed by the president.

5. What pace do you use when hoisting and lowering the flag?

Hoist it briskly and lower it slowly.

6. When should a flag be flown at half-staff?

To show sorrow and mourning following a national tragedy, the death of a president or other national or state figure, or to honor those who have sacrificed their lives for their country.

7. What must you do before setting a flag at half-staff, or when lowering a flag from half-staff?

Hoist the flag to the top of the pole, hold it for an instant, and then lower it.

8. On what day do you fly the flag at half-staff until noon, and then hoist it to full-staff?

On Memorial Day.

9. When is the only time a United States flag should be flown upside down?

Only when used as a distress signal to call for help.

10. What is the rope or cord on a flagpole called?

A halyard.

11. How many people (minimum) should be used to raise the flag? Why?

Two. One person holds the flag and prevents it from touching the ground. The other person attaches the flag to the flag line, or halyard.

12. When the flag has left the arms of the first person, what should he or she do?

When the flag is flowing freely, they should step back and salute the flag if in uniform, or place hand over heart, as the other person ties the halyard to the flagpole. It's just the opposite when lowering the flag.

13. What is important to remember when flying the US flag with any state or auxiliary flag?

The US flag should never fly lower than the state flag. It is hoisted first and lowered last.

14. What about with other national flags such as at the Olympic games?

Level with other national flags.

15. Should a flag be carried flat during parades?

This is up for debate. One popular opinion: if the flag is small enough to be flown, it should be allowed to fly freely. Some flags may be too large to be carried aloft during parades and other events. Note: The flag should not be strapped flat, or draped over a vehicle.

16. On what side should the flag be placed during a parade if carried with other flags arranged in a row?

The farthest to its own right, or in front of the center of that line. Note: When flying at equal heights, the US flag should either be out in front, or farthest to its own right.

17. When is it appropriate to dip the flag in salute during a parade or procession?

Never. The US flag should not be dipped in salute to any person or thing.

18. When displayed on a staff, on what side of the speaker should the flag be placed in a church, synagogue, temple or auditorium?

On the speaker's right.

19. When displayed hanging vertically, what side should the blue field be on?

On the flag's own right.

20. When hung over the center of a street, which direction should the blue field of the flag face?

North, on an east/west street. East, on a north/south street.

21. How and when should a flag be disposed of?

The United States flag should be disposed of in a dignified way, preferable by burning. It should not be flown when tattered and torn, dirty, significantly faded, or when it is no longer a fitting emblem for display. Note: The flag should not be used as apparel or in advertising. It should not be used on napkins, boxes, or anything that is designed for temporary use and discard.

22. When does the flag outside the White House not fly?

When the president is not in Washington, D.C.

Other interesting facts about the US flag

4)

In 1777 Congress made the resolution that determined the design of the first American flag. (13 stripes - 7 red, 6 white. And 13 stars - but was not specific about the arrangement of the stars. The circle of stars was most common, but other flags included a large star in the center with twelve stars around it. There were many other variations.)

In 1795 Congress voted to increase the number of stars and stripes to 15 as new states joined the union.

In 1818 (23 years later) legislation was enacted to reestablish the number of stripes at 13 and institute the policy of adding a new star upon the admission of every new state.

Colors represent:

White: Purity and Innocence (Liberty)

Red: Hardiness and Valor (Bravery)

Blue: Vigilance, Perseverance and Justice

Sources for this flag quiz include Scout and Military handbooks, encyclopedias and other flag reference books.