

ACTIONS TAKEN
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, JUNE 3, 2009
6:30 P.M.

4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
- a) **Approval of the Minutes:**
 - 1) Regular Session – May 20, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) June 10, 2009 at 5:00 p.m. – Special Session
 - 2) June 17, 2009 at 6:00 p.m. – Special Session
 - 3) June 17, 2009 at 6:30 p.m. – Regular Session
 - 3) June 24, 2009 at 6:30 p.m. – Council Hears Planning & Zoning
 - c) **Possible approval of Ordinance 2009-A365, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending section 12-3-6 of the Town Code.** This amendment corrects inconsistencies and conflicts with State Statutes as they relate to Handicapped Parking. (Staff Resource: David R. Smith)
 - d) **Possible authorization to pay the \$5,000 deductible to Southwest Risk to settle the Marcum/Marbach et al. v. Town of Camp Verde litigation.** This is an unbudgeted item. (Staff Resource: Michael Scannell)
 - e) **Possible authorization to pay the \$5,000 deductible to Southwest Risk to settle Funkhouser v. Town of Camp Verde litigation.** This is an unbudgeted item. (Staff Resource: Michael Scannell)
 - f) **Possible renewal of a 2-year agreement with Thomas K. Kelly, P.C. Attorneys at Law for prosecution services in the amount of \$71,000 per annum.** This is a budgeted item in the General Fund. (Staff Resource: Michael Scannell)

On a motion by Hauser, seconded by Smith, the Consent Agenda was unanimously approved as presented with corrections to the minutes of May 20, 2009 that Councilor Roulette was recusing himself from hearing item #7, not 8 and item 4c. was pulled by Councilor Garrison.

4c. Possible approval of Ordinance 2009-A365, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending section 12-3-6 of the Town Code.

On a motion by Smith, seconded by Hauser, Council voted to approve Ordinance 2009-A365, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending section 12-3-6 of the Town Code.

5. **Council Informational Reports**

Councilor Smith read a portion of the speech 'Man In The Arena' "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, and comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Councilor Kovacovich acknowledged that 6 years ago he came to Council as the 'new kid' on the block and now is considered the 'old man'. Kovacovich stated he believes the new Council would benefit from a retreat and would like staff to look into the cost of a facilitator.

Vice Mayor Hauser stated it has been a pleasure serving the community, and she is proud to be a part of such a loving community. Hauser stated, that type of love and caring for one another was shown today when the community came together to give love and support to a family in need.

Mayor Gioia stated he attended the Official opening of the Youth Center along with Vice Mayor Brenda Hauser, and received a certificate of appreciation to the Town Council from the Youth Center. Gioia indicated he attended a meeting with the Broadband Coalition, met with the Verde Valley Transportation Group who discussed the proposed North Verde Valley County. Gioia stated he attended the Small Area Transportation Open House on Tuesday evening and has spoken with ADOT and board members regarding Highway 260 and placing it on the 5-year plan. Gioia advised Council to never forget the role is to serve, and stated he would never forget the privilege Camp Verde has afforded him

6. **Swearing in and seating of the newly elected Council, Mayor Bob Burnside and Council members, Jackie Baker, Bob Kovacovich, and Robin Whatley.**

Town Magistrate Rodger Overholser administered Ceremonial Oaths of Office individually to Mayor Burnside, Council members

Baker, Kovacovich and Whatley, who then assumed their seats of office as members of the new Council.

7. **Presentation of plaques to outgoing Mayor Tony Gioia, Vice Mayor Brenda Hauser, and Council member Ron Smith.**
Mayor Burnside first presented a plaque to outgoing Mayor Tony Gioia, with praise for his many years of service to the community, and then plaques to outgoing Vice-Mayor Brenda Hauser and Ron Smith. Mayor Burnside commended them all for their dedication and service.

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

Jim Bullard Jr. informed Council that someone called his office and complained about mosquito's breeding in the ditch behind his home on Amore Drive. Jim indicated the ditch collects in one spot, but it is not at his residence. Mayor Burnside requested staff look into the problem

Tom Neilson wished the new Council luck and stated there is going to be a new movement in Camp Verde. He indicated he voted for Mayor Burnside because he had more hair than the previous Mayor did.

Mayor Burnside asked Council approval to re-order the agenda and move item #17 to after item 20, indicating there will be no action on item #17.

9. **Discussion, consideration, and possible appointment of a Vice Mayor.**

On a motion by Baker, seconded by Garrison, the Council voted unanimously to appoint Bob Kovacovich to serve as Vice Mayor for a one-year term ending in May 2010.

10. **Discussion, consideration, and possible approval of Resolution 2009-773, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona establishing that the widening and improvements to State Route 260 is the top priority for the Town of Camp Verde and the Verde Valley.**

On a motion by German, seconded by Garrison, the Council voted to approve Resolution 2009-733, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona establishing that the widening and improvements to State Route 260 is the top priority for the Town of Camp Verde and the Verde Valley. Councilor Baker, Kovacovich and Roulette opposed.

Note: Councilor Roulette announced that he was recusing himself from hearing the following Item 11, and left the Council Chambers.

11. **Discussion, consideration, and possible approval of the Special Event Liquor License for the Verde Valley Mounted Sheriff's Posse for the Annual Cornfest scheduled for July 18, 2009.**

On a motion by Kovacovich, seconded by Baker, the Council voted 6-1 to approve the Special Event Liquor License for the Verde Valley Mounted Sheriff's Posse for the Annual Cornfest scheduled for July 18, 2009, with Garrison opposed.

12. **Discussion, consideration, and possible appointment to the Board of Adjustment and Appeals.**

On a motion by Garrison, seconded by Baker, the Council voted unanimously to appoint Jim Bullard, Jr. to the Board of Adjustments and Appeals for a term that will expire in September 2011.

NOTE: A recess was called at 8:27 p.m.; the meeting was called back to order at 8:38 p.m.

Councilors Garrison & Baker requested the following item:

13. **Discussion, consideration, and possible direction to staff relative to continued funding for the Camp Verde Chamber of Commerce and possible notice to vacate the premises by December 31, 2009 per the Lease Agreement.**

On a motion by Garrison, seconded by Baker, Council directed staff to bring back a lease agreement for the Camp Verde Chamber of Commerce extending the lease to December 2010.

14. **Discussion, consideration, and possible approval of Resolution 2009-766, a resolution of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, superseding Resolutions 98-403, 99-426, 99-432, 00-447, 02-538, 03-568, 08-745, and 08-751 and establishing Town Council Rules and Procedures for Council and all Town Boards, Commissions, and Committees. (Staff Resource: Debbie Barber)**

On a motion by German, seconded by Baker, Council agreed to continue item 14 and 15 to the next regular Council meeting.

15. **Discussion, consideration, and possible appointment of Council members to serve on various state, local, and regional committees.**

This item was addressed in item 14 and will be continued at the next regular Council meeting.

16. Discussion, consideration, and possible direction to staff relative to authorizing Town Manager Michael Scannell and Town Attorney Bill Sims to complete those legal documents that will facilitate the refinancing of the Koch Financial Lease Purchase Agreement #2 to include amending the Intergovernmental Agreement between the Town of Camp Verde and the Camp Verde Sanitary District. Town Council may elect to approve such documentation if completed in sufficient time to allow Town Council to review prior to this meeting.

On a motion by German, seconded by Baker, Council authorized the Town Manager and Town Attorney Bills Sims to complete those legal documents that will facilitate the refinancing of the Koch Financial Lease Purchase Agreement #2 to include amending the Intergovernmental Agreement between the Town of Camp Verde and the Camp Verde Sanitary District. Town Council may elect to approve such documentation if completed in sufficient time to allow Town Council to review prior to this meeting.

(Note: this item was heard after item 20)

17. Discussion or consultation with the Town Attorney for the purposes of ~~updating and~~ advising the newly seated Mayor and Council regarding ~~pending~~ THE CALIFORNIA HOTWOOD, INC., AND BUSINESS ENTITIES AND AFFILIATES RELATED TO THE ZELLNER FAMILY litigation.
No Action was taken on this item.

18. Call to the Public for Items not on the Agenda.
There were no comments

There will be no Public Input on the following items:

19. Advanced Approvals of Town Expenditures
a) There are no advanced approvals.
There were no advanced approvals

20. Manager/Staff Report
There were no Staff Reports.

Council moved to go into Executive Session per ARS §38-431.03(A)(4). to discuss item 17.

21. Adjournment
The meeting adjourned at 10:18 p.m.