

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, SEPTEMBER 24, 2008
6:30 P.M.**

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

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Smith, Garrison, Kovacovich, Elmer and German were present.

Also Present: Community Development Director Nancy Buckel, and Recording Secretary Margaret Harper; Town Manager Scannell was in attendance beginning with the hearing on Item 8 and for the remainder of the meeting.

3. **Pledge of Allegiance**

The Pledge was led by Elmer.

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) Executive Session – September 17, 2008 (taped)
- 2) Special Session – September 17, 2008

b) Set Next Meeting, Date and Time:

- 1) October 1, 2008 at 5:00 p.m. – Work Session with Public Sector Personnel Consultants
- 2) October 1, 2008 at 6:30 p.m. – Regular Session
- 3) October 8, 2008 at 6:30 p.m. – Work Session with RBF for Park Master Plan/ Quarterly Work Sessions with Commissions
- 4) October 15, 2008 at 6:30 p.m. – Regular Session
- 5) October 22, 2008 at 6:30 p.m. – Council Hears Planning & Zoning
- 6) October 29, 2008 at 4:00 p.m. – Joint Tribal & Council Session with RBF

c) Possible award of and authorization to execute contract documents for Stan Tec Consulting Inc. to assist Building Safety staff with plan review, building inspections, Code consultation, and Code interpretation. *This is a budgeted item. (Staff Resource: Nancy Buckel)*

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented.

Councilor Elmer requested that the record show that he was not present at the meetings held on September 17, 2008; Gioia reminded the public that the Work Session with RBF scheduled for October 8, 2008, is a meeting regarding the 118-acre park planning that the Town wants as much input in as possible.

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

(Comments from the following individuals are summarized.)

Robin Whatley, Parks & Rec Commission Chairman, reminded everyone about upcoming Fort Verde Days, and that applications are currently being taken for Parade entry; it's a great time for local business to get free advertising.

Howard Parrish announced that the Colonel's Daughter contest is to be held this Sunday; there are two little girls entered this year, and everyone should come out to watch the event.

Tom Nielson commented on his participation in painting the gazebo; it needed the work and it will be a nice improvement.

There was no further public input.

6. **Council Informational Reports**

Garrison gave an update on the planned October 23rd tourism event; 114 attendees are anticipated, and two buses, possibly three. It should prove to be a wonderful event.

German announced that starting Monday the rubbleizing of the roads in the subdivisions has begun; at the Sanitary District meeting this evening there was unanimous approval of a letter regarding the 15 acres; German will be bringing the letter to the Council when it is received.

Hauser asked the Council to think about doing a float for the parade, a little more creative than in the past; she also reported that she is still working on donations for the WWII for the Senior Center. The pool will be open two more weeks for swimming and aerobics. Hauser also shared the history of television reception for Camp Verde in the past.

7. **Discussion, consideration, and possible approval of Resolution 2008-755, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving the Development Agreement between the Town and Cherry Creek Trail, LLC. Dugan McDonald, owner for the development of property known as Ringo Rio and located between Old Highway 279 and SR 260 on parcels 403-16-001F and 403-15-002P, and authorizing the Mayor to execute the agreement. (Staff Resource: Nancy Buckel)**
 On a motion by German, seconded by Garrison, the Council voted 6-1 to approve Resolution 2008-755, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving the Development Agreement between the Town and Cherry Creek Trail, LLC. Dugan McDonald, owner for the development of property known as Ringo Rio and located between Old Highway 279 and SR 260 on parcels 403-16-001F and 403-15-002P, and authorizing the Mayor to execute the agreement; with the stipulations and changes that were reviewed tonight; **with a 'no' vote by Hauser.**

APPLICANT'S STATEMENT

Dugan McDonald, developer, said he appreciated that most of the members have gone over the project with him, and that he is present tonight basically to answer questions and address concerns anyone might have.

STAFF PRESENTATION

Community Development Director Buckel said that this item had been continued in order for staff to do more work with the developer and to clarify more information on the development itself. Buckel reviewed the two exhibits worked on with McDonald to provide a better description; copies of the exhibits were included in the agenda packets. The schedule of approximate times for the four phases is based on the understanding that the timing will necessarily depend upon the economy.

Buckel outlined and explained the changes made to the proposed Development Agreement in order to further define the language for the benefit and understanding of both the Town and the Developer, shown as underlined:

1.3: Language added, "...separate property, or any successor, if the property is sold before completion of the proposed development."

1.6: Language added, "..... Exhibit A. This approved development agreement will be recorded and attached to the deed for the described property."

3.1: Term Change: "The term of this Agreement shall be for two (2) years, commencing on the effective date and subject to annual renewability at the discretion of the Town."

4.2: Language added, "....designated site of the Project..."; and "....Grading Plan (Exhibit C), as described in Exhibit D as "Phase One" final grading and improvements for each additional phase must be built to the development and grading plans as approved and permitted by the Town of Camp Verde."

4.3: Language added, "....for the rehabilitation of the Property or completion of any infrastructure improvements required by the Town for all phases of the development should there be any delay in the completion of any and each phase of the Project. The Assurances to the Town of Camp Verde for each phase of this Project shall be based on the Project engineer's cost estimate and the approval of the Town."

4.5: Language added, "..... Phase One Grading Plan (Exhibit C), or as otherwise been approved in writing by the Town of Camp Verde."

9.11: Language changed, ".... Town of any sale of any portion of the Property at least....."

During the Council discussion, there was concern expressed about the impact of traffic on the neighborhoods, the drainage and the dust. **LUKE SEFTON**, SEC, assured the members of the strict oversight of the project and compliance with ADEQ requirements, and the planned resolution of the traffic issue with ADOT.

PUBLIC INPUT

There was no public input.

Dugan McDonald said he wanted say that without the cooperation of the Town staff and Attorney, and the Council members

themselves, the project would not have become a reality.

8. Discussion, consideration, and possible direction to staff as it relates to Zoning Code revisions. (Staff Resource: Nancy Buckel)

Staff was directed to move forward with this project as outlined, heading for the consultant; it would be of benefit if anything is found that will cut down the consultant's and the attorney's time; if staff sees fit, follow through with what was outlined to Council. Buckel confirmed that she will move forward with the Development Code as directed, with the Town Attorney reviewing the Zoning Code for legalities and conflicting language.

Buckel reviewed, with apologies, the past history and problems with lack of adequate staff in trying to work on the Zoning Code revisions, even though Council had authorized funding for the project; she added that there is also a real need for Development Standards, as recognized by the work that had to be done on the project approved tonight. Also, Buckel pointed out that the Town Attorney has said that, including the Zoning Code, there are many things that need to be addressed simultaneously, and she and the Town Engineer are the only two members who could possibly work on the revisions. Buckel said that she is proposing a two-pronged approach for this year with the goal of accomplishing revisions to both Codes for the next year, depending on the funds available. Buckel detailed the benefits of having Development Standards that are specific to the Town of Camp Verde's unique character, and the need for her and the Town Engineer to work with an outside consultant to work on that project. The Town Attorney could work with staff on the Zoning Code to begin to take care of the existing problems in that Code, and finish that up the next year.

During the discussion of alternate suggestions, including the cumbersome task for staff to research development standards adopted by other communities, it was generally agreed that the better approach would be to have the professional assistance, and would be money well spent. There was also some further discussion on the importance and responsibility of Council as well as staff enforcing the laws in place.

There was no public input.

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

There was no public input.

10. Advanced Approvals of Town Expenditures

a) There are no advanced approvals.

There were no advanced approvals.

11. Manager/Staff Report

There was no Manager/staff report.

12. Adjournment

On a motion by Hauser, seconded by Elmer, the meeting was adjourned at 7:18 p.m.



Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 24th day of September 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 6 day of November, 2008.



Debbie Barber, Town Clerk