

4

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, December 2, 2009
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 Burnside, Vice Mayor Kovacovich, Councilors Whatley, Garrison, Baker, Roulette were present; Councilor German arrived at 6:33 p.m..

Also Present: Town Manager Michael Scannell, Public Works Director Ron Long, Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Paulsen, Permit Tech Becky Oium, Deputy Town Clerk Virginia Jones, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Roulette.

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 – November 18, 2009
- 2) Mayor and Council Retreat – November 12, 2009

b) Set Next Meeting, Date and Time:

- 1) December 9, 2009 at 6:30 p.m. – Work Session – Design Review
- 2) December 16, 2009 at 6:30 p.m. – **COMBINED** Regular Session & Council Hears Planning & Zoning Matters
- 3) December 23, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
- 4) January 6, 2010 at 6:30 p.m. – Regular Session
- 5) January 20, 2010 at 6:30 p.m. – Regular Session
- 6) January 27, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) Possible approval of the re-appropriation of the PANT Grant expenditure appropriations from the State Grants Fund (fund 06) to the Federal Grants Fund (fund 08).

On a motion by Baker, seconded by Garrison, the Consent Agenda was unanimously approved as presented, with the corrections and changes as noted.

Baker requested a correction to the November 12th Retreat Minutes; on Page 5, Item b, she did not state that her vision was to purchase the property and open a restaurant; Garrison noted that on Page 6, Item 6, first paragraph, line 2, "prepared" should be "repaired."

Burnside announced that the meeting scheduled for December 9, 2009 is canceled; a Work Session will be scheduled for January 13th at 6:30 p.m. concerning Design Review.

5. Council Informational Reports.

Whatley thanked the staff for promptly putting up the signs directing traffic to the Senior Center from both locations as requested; she also reported on attending the grand opening of the new Courts building. Whatley attended the CCCVL meeting; they are attempting to qualify to receive a grant by holding a required public meeting.

Kovacovich thanked the Maintenance staff for the Christmas decorations on Main Street.

Garrison said that last week she attended the Intergovernmental meeting held in Clarkdale; the main topic was the new industrial park that Clarkdale is working on to get started.

German reported on her attendance at the Chamber of Commerce meeting on November 19th; they are planning a Board

Retreat for December 8th for strategic planning. The Chamber Mixer will be hosted by The Lodge at Cliff Castle Conference Center on December 15th. German reminded everyone about the Angel Tree at the Chamber office for the seniors; gifts are due by December 15th. Fort Verde State Park is planning a Victorian Christmas event, starting on December 12th; the community is invited to attend.

Burnside announced that December 12th is the Chamber Christmas Day, with the Parade of Lights in the evening; Saturday is Cottonwood's Parade. Burnside thanked staff and maintenance crew for reactivating the water fountain. Burnside said he was planning to attend a third Natural Resource Committee meeting, with the agreement of the other Council members, and he will plan to bring back resource information for the Council. Burnside said that on January 1st he will be putting together a team to participate in an antique baseball event.

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

(Comments from the following individuals are summarized.)

Pat Kaminsky spoke to request the Council's help regarding the Adopt-A-Family program that she had originated that has now grown to 114 families that have been adopted, and over 60 families that still need to be adopted. Because of the current economy some of the donors who helped in the past are unable to help this year; in fact, some of them are asking to be adopted this year. (*Councilor Whatley responded to the speaker's request to let her know the Council will be able to adopt a family, and presented an envelope with the funds collected.*) Ms. Kaminsky also described for the community how the amount of \$120 would provide a Christmas for a family of four.

Howard Parrish thanked the Council for helping to make the Colonel's Daughter contest a big success, and announced that the Camp Verde Cavalry will be the Color Guard for the Cottonwood Christmas Parade.

There was no further public input.

7. **Discussion, consideration, and possible direction to obtain an appraisal and survey for procurement of land for the establishment of a Public Works Equipment Yard.** *This is an un-budgeted item from contingency fund. Staff Resource: Ron Long*

On a motion by German, seconded by Roulette, the Council voted 6-1 to (1) authorize the Public Works Director to obtain the services of a licensed professional real estate appraiser for the appraisal of 18.4 acres located on Industrial Drive, to be used for the Public Works Yard; and (2), authorize the Public Works Director to award a contract for the above-referenced appraisal to the lowest responsible bidder, not to exceed Five Thousand Dollars (\$5,000); in the event all bids received exceed the cap referenced above, the Public Works Director is instructed to return to the Council for further guidance; **with a 'no' vote by Baker.**

Public Works Director Ron Long referred to the maps that had been provided to identify the location of the subject 18.4 acres and adjacent parcels. As he had discussed with Council previously, Long reiterated the proposed use for the property as a Public Works Yard; the Yard is currently being rented and has been for over ten years, at the rate of approximately \$3,000 per month. The boundaries for the proposed land under consideration have been negotiated with George Reeves, the broker for the property. The appraisal has not yet been obtained, as previously directed by Council, since the portion to be considered for purchase had not been determined until now. Long said he is now seeking approval to move ahead with obtaining an appraisal, estimated to not exceed \$5,000.

PUBLIC INPUT

There was no public input.

Town Manager Scannell outlined the estimated required financial commitment on the part of the Town to purchase the property, once the appraisal is obtained and the purchase price is successfully negotiated, which would have to be through a long-term debt arrangement. Scannell suggested that the Council could consider an adjustment to the sales tax as well. The Council discussed the possibility of leasing a portion of the property, if purchased, which could help offset the debt service. There was concern expressed regarding the possibility of the Town's ownership of the property resulting in transferring the burden of the sewer assessment to all the others along that line, a major consideration that perhaps should be researched. During the discussion, the benefit of having the Yard in the center of the service area was stressed, as well as the expense of grading and preparing the land for and then relocating the Yard in the more remote area of the Sanitary District facility, as had been considered in the past.

8. **Discussion, consideration, and possible acceptance of the update on the financial status of the Town of Camp Verde for the first quarter of the 2009-2010 fiscal year.** *Staff Resource: Michael K. Scannell.*

On a motion by Whatley, seconded by Baker, the Council unanimously accepted the update on the financial status of the Town of Camp Verde for the first quarter of the 2009-2010 fiscal year.

Scannell referred to his written December 2, 2009 Financial Update Report that also detailed the activity resulting in the current General Fund Contingency Balance, copies of which were distributed to the Council for this meeting. Scannell then reviewed and further explained his report in detail. Considering a possible further downturn in the economy and an anticipated further reduction in sales tax revenues next year, Scannell indicated that he will be recommending budget reductions in this fiscal year as well as the 2010-11 fiscal year, including other financial maneuvers, and is discussing possible reductions with department heads and employees. Scannell said he would request a Work Session, perhaps in February, for the purpose of updating his financial forecast based on the January quarterly report.

9. **Discussion, consideration, and possible approval of the re-appropriation of expenditures to fund the Four-D, LLC contract amendment.** *Staff Resource: Michael K. Scannell.*

On a motion by Kovacovich, seconded by Garrison, the Council unanimously approved the re-appropriation of expenditures to fund the Four-D, LLC contract amendment.

As a follow-up to the request to monitor and report anticipated charges for the project that is the subject of the Four-D LLC contract, the cost of which he had originally estimated, Scannell presented an accounting of how monies will be moved around and used to fund the project, and the savings that have been realized. Scannell said he is requesting approval to re-appropriate the expenditures to fund the project; he will continue to monitor the expenditures and keep the Council advised.

10. **Discussion, consideration and possible approval of a ground lease agreement between the Town of Camp Verde and the Camp Verde Sanitary District for land owned by the Sanitary District, more particularly described in the survey (Exhibit A) and topographical map (Exhibit B) attached hereto and incorporated herein by reference.** *Staff Resource: Michael K. Scannell*

On a motion by German, seconded by Baker, the Council approved the ground lease agreement between the Town of Camp Verde and the Camp Verde Sanitary District for land owned by the Sanitary District, more particularly described in the survey (Exhibit A) and topographical map (Exhibit B) attached hereto and incorporated herein by reference.

Scannell referred to the original and the amended Intergovernmental Agreements between the Camp Verde Sanitary District and the Town of Camp Verde, which provided in part the opportunity for the Town to lease a 15-acre parcel of land in close proximity to the District facility. The annual cost to the Town for the ground lease would be \$100, and Council had instructed staff to pursue the lease. Scannell outlined the terms of a proposed lease that has been included in the agenda packet, together with the survey and topographical map identified as Exhibits A and B, respectively. Scannell recommended entering into the lease for the stated term of 23 years. By doing so the Town would have control of the 15 acres at the minimal cost of \$100 per year, and a future use may present itself during that period. In addition, pursuant to the terms of the lease, the Town could also consider a sublease of the parcel, resulting in possible significant revenue.

The members discussed the proposed lease with Long and Scannell, including the possible expense to make the land accessible for use or subleasing by the Town, as well as possible access to the new Park.

PUBLIC INPUT

(Comments from the following individual are summarized.)

George Young advised the Council that when he was on the Sanitary District the subject road that had been widened up to the gate, with underlay, to accommodate considerable construction. When the project was finished the Forest Service made the District bring the road back to the original width.

There was no further public input.

11. **Discussion, consideration, and possible approval of Resolution 2009-781, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2009-776, Adopting Fees for Town Services.** *Staff Resource: Deborah Barber*

On a motion by Baker, seconded by Roulette, the Council unanimously approved resolution 2009-781, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2009-776, Adopting Fees for Town Services.

Deputy Town Clerk Jones explained that the schedule of fees presented to the Town in October has been revised and corrected pursuant to the questions raised by Council at that time; the proposed Resolution 2009-776 is now presented for Council

approval. Staff was commended for the well-prepared document provided for review; there was only brief further discussion.

A recess was called at 7:52 p.m.; the meeting was called back to order at 8:05 p.m.

12. Discussion, consideration, and possible direction to staff regarding smoke created by fireplaces and wood stoves. Staff Resource: Michael Jenkins.

Staff was directed to look into the possibility of starting a campaign to educate the public on wood-burning stoves and fireplaces, seeking help through the newspapers, television, and Prescott National Forest, and research possible funding for replacement of out-dated stoves; and report back to Council.

Following the recent direction from Council in response to a citizen complaint about excessive wood smoke, Acting Community Development Director Jenkins reviewed his research through ADEQ regarding information on what may or may not be required in connection with adverse effects on air quality, as well as the type of help that would be available from ADEQ. The Council discussed with Jenkins the information he had provided. In addition, Mayor Burnside outlined in detail a document he had obtained through the Internet entitled, "Strategies for Reducing Residential Wood Smoke." The focus of the document is to help the communities reduce wood smoke from residential heating through education, outreach tools, information on regulatory approaches, voluntary programs and various funding resources. Following a brief Council discussion, Burnside suggested action for staff to take before considering enacting any type of regulation measures.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Howard Parrish said he has been allergic to wood smoke all of his life, but he has a wood stove and has had it for 50 years. There are a lot of people whose heat source is burning wood because of their economic situation; barometric pressure has a lot to do with smoke coming into the area. The community is burning less wood and he believes the problem will take care of itself.

There was no further public input.

Mayor Burnside requested the following item(s)

13. Discussion, re-consideration, and possible direction to staff relative to the action the Council took at the November 18, 2009 meeting with respect to the operation of the Town's weight room

On a motion by Burnside, seconded by Baker, the Council unanimously directed staff to close the Weight Room immediately, and prorate the refund of any membership monies.

Burnside reported on the answer that the Arizona Municipal Risk Retention Pool had submitted to the questions posed by Scannell relative to the operation of the Town's weight room, pursuant to the Council's request at the November 18, 2009 meeting. In response to a request from the members, Burnside read aloud the opinion received from the Municipal Risk Retention Pool regarding risks associated with the Town operating a weight room, as follows, in part, "...*would not even consider it unless you planned on having someone there the entire time the weight room is open. No one should ever be allowed to do weights alone. Any time someone gets injured you run the risk of having a claim that the facility wasn't properly supervised or maintained, or that there was something wrong with the equipment, etc. If you do decide to do it, I'd get waivers, but as you know they are not foolproof. It is up to you, of course, there is no coverage issue, it just has the potential of being a high risk for claims.*"

During the ensuing discussion, there was regret expressed that although the weight room would not be accessible to employees and volunteers, which was the original intent, there was unanimous agreement that, based on the advice received, the weight room should be closed as soon as possible.

There was no public input.

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

There was no public input.

15. Advanced Approvals of Town Expenditures when there are no advanced approvals.

a. **There are no advanced approvals.**

There were no advanced approvals.

16. Manager/Staff Report

There was no Manager/staff report.

17. **Adjournment**

On a motion by Garrison, seconded by Baker, the meeting was adjourned at 8:42 p.m.



Bob Burns, Mayor

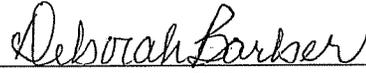


Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 2nd day of December 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 18 day of December.



Debbie Barber, Town Clerk