

**MINUTES  
COUNCIL HEARS PLANNING & ZONING  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, JUNE 28, 2006  
at 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 6:31 p.m.

2. **Roll Call**

Mayor Gioia, Vice Mayor Hauser, Councilors Baker, Smith, Kovacovich, and Parry were present; Councilor Parrish arrived at 6:36 p.m.

**Also Present:** Community Development Director Will Wright, Sr. Planner Nancy Buckel, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Vice Mayor Hauser.

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) June 20, 2006 – Work Session

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

1) Regular Session – July 5, 2006 6:30 p.m.

2) Joint Work Session with P&Z – July 18, 2006 at 5:00 p.m.

3) Regular Session – July 19, 2006 at 6:30 p.m.

4) Council Hears P&Z – July 26, 2006 at 6:30 p.m.

c) **Discussion, consideration, and possible renewal of the Memorandum of Understanding with NACOG to operate the Voucher Transit System.**

On a motion by Hauser, seconded by Kovacovich, the Council unanimously approved the Consent Agenda as presented, with the addition of a Work Session on July 5, 2006 at 5:00 p.m. and Item 4c) pulled for brief discussion.

Mayor Gioia requested that Item 4c) be pulled for discussion, and that a budget Work Session be added for July 5, 2006 at 5:00 p.m.

**4c) Discussion, consideration, and possible renewal of the Memorandum of Understanding with NACOG to operate the Voucher Transit System.**

On a motion by Gioia, seconded by Baker, the Council unanimously approved signature on the Memorandum of Understanding with NACOG.

**Wendy Escoffier** explained that NACOG had recommended that the Memorandum of Understanding be revised to eliminate the need to renew it every year by providing that it remain in effect until the funds run out, or until further action by the Council.

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

**Bob Johnson**, Camp Verde, requested information regarding the issue of Hwy 260 at this point in time, describing some measurements he had taken on two segments that he understood were under consideration; Mayor Gioia offered him a letter to read during the meeting, explaining that the information in the letter will be published in the newspaper tomorrow.

There was no further public input.

6. **Discussion, consideration, and possible approval of an agreement with owner/agent Rob Witt for NEI subdivision for withholding building permits in lieu of filing a performance bond to ensure infrastructure and all required offsite improvements for this subdivision/commercial park.**

On a motion by Smith, seconded by Baker, the Council by a 4-3 vote approved an agreement with owner/agent Rob Witt for NEI subdivision for withholding building permits in lieu of filing a performance bond to ensure infrastructure and all required offsite improvements for this subdivision/commercial park; with 'no' votes by Gioia, Hauser and Parry.

Community Development Director Will Wright said that a special meeting of the Planning & Zoning Commission was held on June 15, 2006 to address the owner's desire to be able to record the final plat, using a similar approach that was approved for the Silverado subdivision to withhold the Certificate of Occupancy in lieu of filing a performance bond. The owner of the subject property proposes that any building permits be withheld in lieu of filing a performance bond; all improvements in terms of infrastructure will therefore be in place before a building permit is issued for any of the lots in the subdivision. The Town Attorney has determined that any risk for the Town would be minimal, if any, since no building will occur until the improvements are complete and accepted by the Town, or unless a performance bond is brought forward at some juncture. The Commission has unanimously recommended approval of the request.

The Council discussed the request at length, expressing conflicting opinions, including the major concern of opening the Town up to liability, citing a past example, countered with the suggestion that this request is appropriate since the control exists by withholding building permits and that there is no comparison to the example cited. It was also pointed out that the employment that will be created by the proposed business was an important factor in trying to work with the owner and that sales of the lots would generate the revenue sufficient to complete the improvements. The issue of the requirement for disclosure of the withholding of building permits to lot purchasers was also addressed.

**Rob Witt** confirmed that the buyers are being advised that they are in essence investors, and that their money will be used to complete the infrastructure; the owner does not have the cash to pay for that. Witt suggested that the Town might stipulate that funds be impounded in the amount of \$1.1 million before the properties are closed and the monies start being used.

The Council continued to express reservation about the wisdom of approving the request, with a proposal made that the owner might deed a lot to the Town as an assurance to guarantee the development and eliminate risk. In contrast it was suggested that the proposed agreement would not only protect the Town and was approved by the Town Attorney, but the Town would be assisting a potential employer who will create much-needed jobs for the Town. As to the proposal regarding deeding a lot to the Town, **Rob Witt** said that the owner could not do that, but could "secure something" with some of the property being set aside; further Council input cautioned against such an arrangement without advice from the Town Attorney.

**PUBLIC INPUT**

**Bob Womack**, in summary, supported the comment he had made during the P&Z meeting regarding the disclosure provision explaining the history of and the reason for requiring disclosure during real estate transactions; disclosure is the way to protect the buying public. Also, a performance bond in no way protects the Town; it protects the public.

**Bob Johnson** said he thinks Mike Parry has a good idea regarding reserving a parcel as a guarantee; no matter what the Attorney or anyone else says, there is risk. Also, he said that Mr. Witt agreed that it is a good idea.

**Suzy Burnside**, in summary, expressed her objection to waiving a performance bond; it is a conservative way for the Town to protect infrastructure of any type being built, although since she had missed the first part of the meeting she was not sure why that was being considered.

There was no further public input.

During further discussion among the members, with references to the proposed agreement, Ms. Burnside again spoke, asking that all the information available to Council members prior to meetings also be available to citizens on the website, which would have been helpful to her in reviewing the issue prior to the meeting. Mayor Gioia requested that staff pursue an answer to why a complete packet had not been put on the website.

7. **Discussion, consideration, and possible approval SPR 06-02 for the Steve Coury Ford Dealership.**  
On a motion by Gioia, seconded by Smith, the Council unanimously approved SPR 06-02 for the Steve Coury Ford Dealership, with the following stipulations: Moving forward with the lighting plan to comply with the Town's lighting ordinance; and review at a later date of landscaping to match Camp Verde's Design Review intent.

Director Wright went over the site design review concerns about wanting to try to incorporate the Ford structure into the Western/Rural concept and the strict requirement by Ford Motor Company to keep a uniform design for their dealerships, together with the compromise approved by the Planning & Zoning Commission with the stipulation having to do with the lighting plan and the landscaping.

**Rick Cartell**, a principal with Autopilot Development Services, first distributed some color renderings of the proposed structure, and briefly explained his company's primary goal of helping Mr. Coury complete the design and construction phases of his planned Ford dealership. Mr. Cartell addressed the three main issues that had caused concern over the approval of the project by the Planning Commission: the exterior design of the building, the landscaping and the lighting. He outlined and described in detail the need by car dealers for what are referred to as "Image Guidelines," and how those guidelines evolved and why they are necessary for approval of a dealership. Mr. Cartell also explained the importance of lighting because of the unique atmosphere in car dealerships; he suggested that his company be allowed to work with staff to develop industry-standard light levels and arrive at a solution satisfactory to the Town. Mr. Cartell agreed to the suggestion that he also research the Flagstaff dealerships, that Flagstaff's requirements are even more stringent than Camp Verde's. Mr. Cartell assured the Council that his company will work with staff on landscaping, the area plant schedule and sizes, and include features such as fencing and other items that will project the Western/Rural look. The Council was also advised that permittable plans will be ready within approximately two weeks for review. Dean Spears, Engineer, addressed the water detention issue, confirming that there will be underground detention to collect and store drainage, and then discharge into the creek.

#### **PUBLIC INPUT**

**Bob Womack** commented on branding as referred to in the Marketing Guide, which is what the Ford Motor Company is doing; as an example of branding Mr. Womack mentioned the Energizer Bunny, for one.

There was no further public input.

- 7a) **Discussion, consideration and possible direction to Staff regarding the requirement of certified documents from applicants for building and zoning related matters.**  
On a motion by Baker, seconded by Gioia, the Council voted unanimously to continue the subject item to the Council Hears P&Z meeting at the end of July; the Town Attorney to be available for teleconference.

Councilor Parry explained his reason to request this item based in part on a situation on Monroe Lane recently involving documents and concerns over right-of-way. Upon investigating, Parry found that the file contained

documents that are labeled "Unofficial Copy." Parry suggested that the Town is possibly being exposed to liability by accepting such documents and that the County requires official copies.

Director Wright said that what staff had been given did not explain any background for the request and staff is not prepared to speak to it. As for the County only accepting official documents, they are the official agency that does the recording. All the applications include a statement to the effect that what is being signed is true and correct; a false statement is a misdemeanor and a serious violation of the law. Wright suggested that staff could do a little more research if Council desires. The Council briefly discussed late submissions of addendum items and a potential problem when staff has not had sufficient time to be prepared.

It was agreed that the item should be continued to another meeting.

**PUBLIC INPUT**

**Rob Witt** advised the Council that some documents do not become official until they have been approved by the Town and certified; it would be very cumbersome and discouraging for an applicant to try to figure out how to present the forms.

**Kathy Davis** said she would like to see some form of certification; she cautioned that a seemingly certified document can be manufactured and approved without a legal basis.

There was no further public input.

- 7b) **Discussion, consideration, and possible reaffirmation of Section 120 of the Planning and Zoning Ordinance for the Town of Camp Verde, and possible direction to staff to ensure that all outdoor lighting, including lighting in new and recent construction, is in compliance with this ordinance.** Staff was directed to be more cautious in following the Lighting Ordinance.

Councilor Parry said that he has experienced and has received phone calls regarding non-compliance with the lighting ordinance in the Cliffs subdivision, and the need to start somewhere to correct the problem.

Director Wright explained that staff has been in consultation with Universal Homes and had realized that there had been an error made in that shielding needed to be added. Mr. Contadino has said he is willing to correct the problem with the outside lighting at a cost of several thousand dollars. Director Wright said that bids are being requested for retrofitting the lamps with the proper shielding, and Mr. Contadino will bear the cost.

There was no public input.

- 8. **Call to the Public for Items not on the Agenda.** **Judi Farr**, in summary, lodged a serious complaint regarding her experience with problems with neighbors and requesting and not receiving help from the Marshal's Office; she will still submit a written complaint describing her concerns.

There was no further public input.

- 9. **Advanced Approvals of Town Expenditures**  
There were no advanced approvals of Town expenditures.

- 10. **Manager/Staff Report**  
There was no Manager/Staff report.

- 11. **Council Informational Reports**  
Councilor Smith expressed his pleasure working with Will Wright and pride in knowing him, adding that Will is an honest man and he is wished the very best in the future.

Councilor Baker said she absolutely dittoed Smith's statement and that she appreciates some of the things Will has had to struggle with during his time with the Town and that he acted in a nice, calm way. Baker also reported that she will be Vice Chair of the NACOG Regional Council now.

Vice Mayor Hauser announced that today she attended the Verde Watershed and the WAC meetings; there was a presentation from the Verde River Basin Partnership. Also, John Rasmussen, who is a coordinator for the WAC, would like to give the Council and public an update of the water studies just completed; Hauser suggested September, if possible. Hauser advised the Council that Prescott is having a water festival in coordination with Project Wet; although primarily with the schools, Hauser feels that Council should support these types of events.

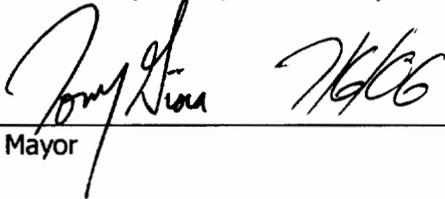
Councilor Parrish also echoed Smith's comments regarding Will Wright; Parrish added that he thinks Will has done a wonderful job putting up with this Council. Parrish said that the problem with water running out into the bar ditch from the swimming pool and creating standing water is once again of concern; something needs to be done about it.

Councilor Parry also thanked Will Wright for a great contribution to the Town; there has recently been some enforcement out in Verde Lakes, people starting to clean up the area.

Mayor Gioia also wished Will good luck; Vice Mayor Hauser also wished Will good luck and said he has been a good employee.

12. **Adjournment**

On a motion by Baker, seconded by Hauser, the meeting was adjourned at 8:32 p.m.



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Tony Gioia, Mayor



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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 28th day of June 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7 day of July, 2006.



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Debbie Barber, Town Clerk