

ACTIONS TAKEN
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MARCH 4, 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) Retreat – February 25, 2009
- 2) Regular Session – February 18, 2009

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

- 1) March 18, 2009 at 6:30 p.m. – Regular Session
- 2) March 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning
- 3) April 1, 2009 at 6:30 p.m. – Regular Session
- 4) April 15, 2009 at 6:30 p.m. – Regular Session
- 5) April 22, 2009 at 6:30 p.m. – Council Hears Planning & Zoning

c) **Possible authorization to pay the Town's portion of the legal expenses related to the League of Cities and Towns v. Martin/Napolitano in challenging the constitutionality in Section 47 of HB2209 that required cities and towns to deposit \$29.7 million into the State General Fund. The Town's portion is \$576.00. The Supreme Court ruled in favor of the League's position; however, legal fees were not awarded.** This is a non-budgeted item in legal services. (Staff Resource: Michael Scannell)

d) **Possible authorization to transfer funds in the amount of \$3,605.00 from Special Events Supplies to Wine Reimbursement.** This is a budgeted item. (Staff Resource: Lynda Moore)

e) **Possible approval of Resolution 2009-761, a resolution of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operation and setting the 2009 Holiday Schedule.** (Staff Resource: Debbie Barber)

f) **Possible authorization to pay \$5,806.10 for loss adjustment expenses to Southwest Risk/Arizona Municipal Risk Retention Pool for Alton v. Town of Camp Verde.** (Staff Resource: Michael Scannell)

g) **Possible acceptance of Gene McIntyre's resignation from the Board of Adjustment and possible presentation of a Certificate of Appreciation for his volunteer service.** (Staff Resource: Debbie Barber)

h) **Discussion, consideration, and possible approval of the Proclamation declaring February 14 – 21, 2009 as "Arizona Adult Literacy Week".** (Councilor Garrison requested this item.)

i) **Possible approval of budget appropriation corrections for the Fiscal Year 2008-2009 budget. The total amount of increased appropriations is \$3,030.** (Staff Resource: Lisa Elliott)

j) **Possible appointment to the following commissions: Parks & Recreation Commission – term expires in September 2010. There is one application from Karen Thomas and possible appointment to the Trails & Pathways Commission – term expires in September 2011. There is one application from Ed Mezulis.** (Staff Resource: Debbie Barber)

k) **Possible approval of an agreement between Donald E. Zelechowski, a Certified Public Accountant, and the Town of Camp Verde for a tax payer education program designed to increase compliance with our tax program, as well as, for sales tax audit services that would verify 'privilege' tax (Privilege Sales Tax) reporting and payments to the degree that said audits are required.** (Staff Resource: Michael K. Scannell).

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the exception of .Items 4.h) and j).

4.h) **Discussion consideration, and possible approval of the Proclamation declaring February 14 – 21, 2009 as "Arizona Adult Literacy Week."**

On a motion by Gioia, seconded by Garrison, the Council unanimously approved the Proclamation declaring February 13-21, 2009 as "Arizona Adult Literacy Week."

4.j) **Possible appointment to the following commissions: Parks & Recreation Commission – term expires in September 2010. There is one application from Karen Thomas and possible appointment to the Trails & Pathways Commission – term expires in September 2011. There is one application from Ed Mezulis.**

A motion by Hauser, seconded by Kovacovich, to appoint the two candidates to the subject Commissions failed by a 3-2 vote; with Smith and Garrison opposed.

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

(Comments from the following individuals are summarized.)

Joe Butner spoke on behalf of the Camp Verde Cavalry to once again request funds to cover the cost of a special dinner to honor the White Mountain Sheriff's Posse on this year's occasion of their delivery of the mail from the Pinetop-Lakeside area; a

bid from Babe's Roundup has been received in the amount of \$2350 for the event.

Carlie Androus expressed her concern regarding the ethics and accountability of the Town's representatives, citing an occasion on which she believes the Mayor acted independently in his contacts with the Yavapai-Apache Nation on the issue of Prop. 202 Funds, the actions of which are in direct conflict with the Town's Code of Ethics. Ms. Androus asked that this issue be made an agenda item for discussion and resolution at the earliest Council meeting available.

Howard Parrish said he has received phone calls about organizing a group of people in connection with the Arizona Centennial; he has been advised that one of the ladies would appear before Council and explain details as they get more involved.

Jackie Baker commented that she agrees with Carlie Androus; she recalled a similar problem in connection with the Liaison to the Sanitary District; it is very refreshing that the citizens are paying attention in this time of apathy.

There was no further public input.

6. **Council Informational Reports**

Smith outlined two agenda item requests he has made; one dealing with discussion and possible Council direction to respond to disagreement and a dispute concerning the distribution of highway funding in Arizona, authorizing a letter to the State opposing a cut in the funding; also, an agenda item to look into the request from Carlie Androus in connection with the Liaison and lack of response to Council.

Garrison reported on some interesting meetings she attended this week, and quoted some "punch lines" on the issue of stimulus money and concerns about next year's budget; the Advisory Council on Aging has a phone number to call with any questions about services available to senior citizens, 877-521-3500. Garrison also reiterated her request in January for an answer regarding a point of order and would like that to be given in a public meeting. Garrison referred to two draft documents from NACOG for the Council to seriously consider relating to the Economic Recovery Funds for Transportation. Garrison added that she will sponsor Mr. Butner's request for the funds for the White Mountain Sheriff's Posse event.

Hauser said that MatForce is holding its March Against Meth event this year on March 28th, with the March starting from the Cottonwood Fairgrounds and ending at Dead Horse Ranch; Hauser described the many related planned activities, ending with the good news that her Marine is coming home from the war zone.

Gioia said he had assured the White Mountain Sheriff's Posse people that they would be very welcome in Camp Verde; the Mail Trail Ride is a real boost to tourism, and the fiscal situation was also discussed with them. The tourist signs directing people to downtown Camp Verde have gone up. Progress is being made with the Forest Service regarding funding for the sign at Montezuma Castle Highway. Gioia said he had discussions with the Yavapai-Apache Nation recently concerning issues that had been raised in other communities; the outcome of the discussions was favorable. Gioia also reported on the Fossil Creek legislation and contacts with State Parks regarding the Fort, as well information from the Intergovernmental Meeting in Sedona.

Councilor Garrison and Mayor Gioia requested item #7:

- 7. **Yavapai Apache Nation will present and Council will accept a check in the amount of \$56,058 to the Town as a contribution from the Cliff Castle Gaming Facility, pursuant to Section 12(d)(1) of the Tribal-State Gaming Compact.**
There was no action taken.

PUBLIC INPUT

(Comments from the following individual are summarized.)

Perry Haddon described how Prescott sponsors a Thanksgiving Eve event to get together with all the community leadership and the Tribe; he encouraged Camp Verde to do likewise. *Gioia advised him that the Town has done that, with a barbecue.*

There was no further public input.

Mayor Gioia requested items #8 and 9:

- 8. **Discussion, consideration, and possible vote to reconsider the reaffirmation made on January 13, 2009 and/or the approval made on December 17, 2008 of Ordinance 2008-A354A (amending Ordinance 2008-A354 approved on October 22, 2008, but not processed based on attorney advice) an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 118 of the Zoning Ordinance to define A-frame signs, add exceptions for projecting signs and A-Frame signs into the right-of-way for businesses and Main Street under Prohibited Signs, and define the criteria under which projecting signs may be used under Business/Commercial/Industrial signs.**

On a motion by Smith, seconded by Kovacovich, the Council voted unanimously to readdress this item.

There was no public input.

9. **Discussion, consideration, and possible direction to staff relative to Ordinance 2008-A354A (amending Ordinance 2008-A354 approved on October 22, 2008, but not processed based on attorney advice) an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 118 of the Zoning Ordinance to define A-frame signs, ADD EXCEPTIONS FOR PROJECTING SIGNS AND A-FRAME SIGNS into the right-of-way for businesses and Main Street under Prohibited Signs, and define the criteria under which projecting signs may be used under Business/Commercial/Industrial signs.**

On a motion by Gioia, seconded by Hauser, Council unanimously directed staff to assemble a group of those involved in the A-Frame signs issue, bring back within 30 days remedies to the situation, suggestions; if Council chooses at that time it can go forward with the process of public notification and public hearing in Planning & Zoning and public notification and public hearing in Council; also staff to hold in abeyance any enforcement of the present A-Frame sign Ordinance with the existing indemnity agreement in the Ordinance.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

Jim Lawson

Bill Carter

Ginger Mason

There was no further public input.

10. **Discussion, consideration, and possible authorization to fill the position of Parks Administrative Assistant. (Staff Resource: Lynda Moore)**

This item will be continued; staff will meet with Moore to consider a number of options to determine what is in the realm of possible, and then come up with a comprehensive report for Council by the April 1st meeting, including an analysis of the possibility of funding an employee from the Park Fund and then fund the Event Coordinator from the General Fund.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

Linda Buchanan

Bea Richmond

Robin Whatley

Howard Parrish

There was no further public input.

A recess was taken at 8:15 p.m.; the meeting was called back to order at 8:24 p.m.

11. **Presentation and possible reconsideration of Council's decision to have Town Staff enforce the Town's regulations concerning the youth livestock project activity for 2009 based on new information submitted by the FFA advisors, allowing the FFA advisors to proceed with the enforcement regulations for 2009. (Staff Resource: Nancy Buckel)**

On a motion by Hauser, seconded by Garrison, the Council unanimously directed staff to take action to allow the FFA advisors to proceed with the enforcement regulations for 2009.

PUBLIC INPUT

(Comments from the following individual are summarized in the Minutes.)

Linda Buchanan

Jackie Baker

There was no further public input.

12. **Presentation of the financial status of the Town followed by discussion, consideration, and possible direction to staff regarding actions to take to ensure that expenditures are kept within the revenues collected for the remainder of the 2008-2009 fiscal year. (Staff Resource: Lisa Elliott)**

There was no action taken.

There was no public input.

13. **Discussion, consideration, and possible direction to staff relative to setting a policy for legal expenses as they relate to unauthorized citizen and media contact with the Town Attorney.** *(Staff Resource: Michael Scannell)*
The Town Attorney was directed not to bill for items or conversations unauthorized outside of Council's direction or staff needs; if it is up to the Counselor to choose to converse with press directly but it is not to be at the expense of the Town.

PUBLIC INPUT

(Comments from the following individual are summarized in the Minutes.)

Robin Whatley

There was no further public input.

Councilor Smith requested item #14:

14. **Discussion, consideration, and possible direction to staff relative to a) holding in abeyance any actions relative to enforcing the transaction privilege tax on residential rental properties in the Town of Camp Verde and b) to prepare an analysis for the Council's review and to deliver said analysis on or before March 18, 2009 of those options that exist with respect to developing new sources of revenue to offset the loss of revenue that may flow from the rescission of the transaction privilege taxes currently levied on residential rental properties in the Town of Camp Verde.**
Staff was directed to provide data by the next meeting on the yield on the subject tax generally, broken out by residential and commercial, for review by the Council and decision on what action to take; the data will be based on the current level of compliance.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

Ethel Fabrin

Dobie Champion

Linda Buchanan

Pete Roulette

There was no further public input.

15. **Discussion, consideration, and possible direction to staff to prepare an ordinance adopting Robert's Rules of Order, as modified that best fits the Town's needs for Council consideration at the earliest possible date.** *(Staff Resource: Michael Scannell)*
Staff was directed to proceed with drafting a Standard Procedure Policy based on a modification of Robert's Rules of Order.

PUBLIC INPUT

(Comments from the following individuals are summarized in the Minutes.)

Pete Roulette

Robin Whatley

Linda Buchanan

Jackie Baker

There was no further public input.

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

17. **Advanced Approvals of Town Expenditures**
a) **There are no advanced approvals.**
There was no advanced approvals.

18. **Manager/Staff Report**
There was no Manager/Staff report.

19. **Adjournment**
On a motion by Hauser, seconded by Smith, the meeting was adjourned at 10:06 p.m.