

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MAY 23, 2007
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 Smith, Kovacovich, Parrish and Parry were present; Councilor Baker was absent.

Also Present: Interim Town Manager Dave Smith, Town Attorney Brad Woodford (*by telephone conference*), Finance Director Dane Bullard, Community Development Director Nancy Buckel, Councilor-elect Norma Garrison, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by 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) May 15, 2007 – Budget Work Session

b) Set Next Meeting, Date and Time:

1) Regular Session – June 6, 2007 at 6:30 p.m.

2) Regular Session – June 20, 2007 at 6:30 p.m.

3) Council Hears Planning & Zoning – June 27, 2007 at 6:30 p.m.

c) Possible acceptance of the Planning & Zoning Commission's quarterly report, Design Review Board, and Board of Adjustments for January – March 2007.

d) Possible approval of an Intergovernmental Agreement by and between the Town of Camp Verde and the Camp Verde Fire District for the purpose of reviewing and approving all plans in connection with the installation of fire suppression equipment, building permits, and to provide inspections on non-residential buildings to ensure compliance with the 2003 International Fire Code.

e) Possible approval of Resolution 2007-727, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring and adopting the results of the General Election held on May 15, 2007.

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the addition of a Work Session for May 30th at 4:00 p.m., and Item c) pulled for discussion.

4.c) Possible acceptance of the Planning & Zoning Commission's quarterly report, Design Review Board, and Board of Adjustments for January – March 2007.

On a motion by Parry, seconded by Hauser, the Council voted unanimously to approve Item 4.c) with the notation that we will get final word from the Town Attorney on the Commissioner Bullard incident.

The Town Manager was requested to convey the findings discussed to the Town Attorney, request the Attorney to inform Council members through memo of his recommendation, within a week.

Councilor Parry requested that Item 4.c) be pulled for discussion, questioning the opinion by the Town Attorney that a member who recuses himself from hearing an issue, based on conflict of interest, is allowed to remain in the room during the discussion pursuant to the Open Meeting Law, which is in direct opposition to the Town Code that requires his absence from the room. The question arose based on an issue involving P&Z Commissioner Bullard.

PUBLIC INPUT

(Input from the following individual is summarized.)

Councilor-elect Norma Garrison said that during a training session the subject of conflict of interest was addressed; regardless of the opinion of the Town Attorney, Garrison pointed out that the Town Code is the prevailing law, based on her research, and must be followed. Furthermore, Garrison contacted Attorney Sims regarding her research that confirmed that a Town Code can be more strict than the State Code and therefore is not in conflict with the Open Meeting Law; to date she has been unable to get a response from Sims. *Mayor Gioia expressed appreciation for her comments, and asked the Town Manager to follow up with the Town Attorney on Councilor-elect Garrison's concern and findings.*

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

(Comments from the following individuals are summarized.)

Jack Blum reminded the Council that the Fire District's plan for fire stations includes acquisition of two acres at the front corner of the Community Park property, whatever the size of the parcel to be acquired.

Tom Nielson said he appreciates the Council members for appointing him to the Library Commission, and described confusing signs on Hwy 260 regarding the location of Camp Verde.

There was no further public input.

6. **Discussion, consideration, and possible direction to staff regarding the desired amount of acreage that Council would like to negotiate with the US Forest Service for the community park.**

Staff was directed to prepare scenarios on each of the funding opportunities available; the Town will contact the Forest Service, set a meeting for immediately after the meeting next week, and incorporate this in the Budget Session discussion.

The members discussed funding options regarding acquiring the entire approximately 228 acres, or committing to only a portion of it, based on the recent independent appraisal figures, and the income from the park funding, as well as bonding as much as possible. It was also pointed out that the Town needs to make sure the money is available before making a decision and an offer; also, it appears that the Town can fund 80 acres through 25-year bonding, and have money left over for improvements. It may be necessary to turn back the Heritage Grant; however, the Town can reapply, and even more funding may be available.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Jim Ellington reminded the members that the entire community and the Council originally bought into the Parks & Recreation Commission's plan for the 223-plus acres for the Community Park that included approving a 1 percent tax increase for that goal.

Steve Ayres said he had had some contact with the Forest Service, and suggested that the Town could approach the Forest Service to ask what would \$4 million buy, as one option to consider; that would probably take till October of 2008 to complete the acquisition. Also, the 175-acre Admin Site will be going back on the market, which the Town could consider bidding on. Ayres outlined how the income per month from tax revenues would support bonding for the purchase as well as improvements, and urged the Council to engage the Forest Service

immediately and go with the suggested options and try to acquire the whole parcel.

Clint Teague, President of the local Little League, agrees that the Town should try to get as much property as possible; he also urged the Council to not delay further, the kids need the ballparks yesterday, not five years from now.

Mayor Gioia assured the public that Council is pushing forward as quickly as the process will allow, and that the Community Park is among several of the top priorities of this Council, both outgoing and incoming.

There was no further public input.

7. **Public Hearing, discussion, consideration, and possible approval of Resolution 2007-724 a resolution of the Common Council of the Town of Camp Verde, Arizona approving Use Permit 2007-02 to allow for the operation of a bed & breakfast on parcel 404-30-009G zoned R1L-18 for a period of 7 years. This property is located at 94 Coppinger Street.**

On a motion by Gioia, seconded by Hauser, the Council unanimously approved Resolution 2007-724, a resolution of the Common Council of the Town of Camp Verde, Arizona approving Use Permit 2007-02 to allow for the operation of a bed & breakfast on parcel 404-30-009G zoned R1L-18 for a period of 7 years. This property is located at 94 Coppinger Street.

STAFF PRESENTATION

Community Development Director Buckel explained that as a result of staff review of Use Permits, a few of the businesses were still in operation. The applicant has requested a Use Permit to continue her operation of a bed & breakfast at her residence for a period of seven (7) years. The records show no complaints or disturbances reported from operation of her business in the past; she has personally contacted the neighbors who have expressed their approval in letters of support.

PUBLIC HEARING OPEN

Applicant's Statement

Bea Richmond said she has operated her bed & breakfast since 1995; her property is very secluded. She said she does very little business, does not need to do it, but enjoys it and expects to continue doing it for the rest of her life.

COMMENT FROM OTHER PERSONS

There were no comments from other persons.

APPLICANT'S REBUTTAL

No rebuttal was necessary.

PUBLIC HEARING CLOSED

Council Discussion

There was only brief discussion, and unanimous agreement on approving the request.

There was no public input.

8. **Public Hearing, discussion, consideration, and possible approval of ordinance 2007-A339, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 113 of the Zoning Ordinance requiring citizen review and participation for any amendment to the Zoning Ordinance or any Use Permit that requests modification of any regulations.**

On a motion by Hauser, seconded by Parry, the Council unanimously approved Ordinance 2007-A339, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 113 of the Zoning Ordinance requiring citizen review and

participation for any amendment to the Zoning Ordinance or any Use Permit that requests modification of any regulations.

STAFF PRESENTATION

Buckel explained that the Town Attorney has advised that State regulations require citizen review and participation of all applicants; the proposed language has been approved by the Attorney and with little change the P&Z commission has recommended approval of the amendment.

PUBLIC HEARING OPEN

There was no public input.

PUBLIC HEARING CLOSED

Council Discussion

There was no Council discussion.

- 9. **Discussion, consideration, and possible approval of Ordinance 2007-A341, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, amending Ordinance 2004-A274, adopting by reference the 2003 International Plumbing Code (IPC), and 2003 International Building Code Appendix J – Grading, Establishing Fee Schedules, and proscribing penalties for violations thereof.**

On a motion by Parry, seconded by Kovacovich, the Council by a 5-1 vote approved Ordinance 2007-A341, an ordinance of the Town of Camp Verde, Yavapai County, Arizona, amending Ordinance 2004-A274, adopting by reference the 2003 International Plumbing Code (IPC), and 2003 International Building Code Appendix J – Grading, Establishing Fee Schedules, and proscribing penalties for violations thereof; with a 'no' vote by Parrish.

Buckel said that the International Plumbing Code had been adopted at the time of adopting the 2003 International Building Codes. It was found at that time that Arizona had adopted only the UBC Plumbing Code; the State of Arizona is now sunsetting the UPC as of June 30th, and in order to have a current plumbing code in effect it is necessary to adopt the IPC at this point. Buckel also explained the necessity to also adopt the IBC Appendix J – Grading section, in order to reestablish a Grading Ordinance.

The Council discussed with Buckel the proposed Ordinance amendment including the grading regulations, together with the issues of dust control and gray water. Buckel said that staff will be looking at adding the subject of gray water to the Town Codes; Gioia requested that staff move that forward sooner than later. There was further discussion on the use of gray water.

PUBLIC INPUT

(Input from the following individual is summarized.)

Councilor-elect Norma Garrison asked whether the requirement on grading and drainage would affect a small project such as building a patio, or sidewalk. *Gioia suggested that it would depend upon the amount of dirt involved, as a rule of thumb, and should not be a complicated issue.*

Parrish commented that he is now concerned about just plowing his garden.

- 10. **Call to the Public for Items not on the Agenda.**

There was no public input.

- 11. **Advanced Approvals of Town Expenditures**

a) There are no advanced approvals.

There were no advanced approvals.

- 12. **Manager/Staff Report**

Buckel commented that she is moving forward with her needs assessment.

13. **Council Informational Reports**

Smith reviewed information and input following his attendance at the Transportation Board meeting this morning. A roundtable discussion will be held on July 25th regarding local projects for each of the Verde Valley communities, incorporated and unincorporated; perhaps the Council may want to schedule an agenda item prior to that time for possible direction regarding what Camp Verde wants to do.

Hauser reported on water news from the City of Flagstaff; tomorrow Scott Maybery will be giving a presentation at the Cottonwood Board of Supervisor Hearing Room from 11:30 to 1:00 p.m., and County Attorney Polk will be giving a report on MatForce and related problems. On June 21st at 7:00 p.m., John Hoffman will give a presentation at the Multi-Purpose Complex at the school explaining the recent USGS reports.

Parrish thanked everyone for their support during the last 10-1/2 years, and gave advice to the incoming Councilor Garrison, as well as some handmade mementos to other members.

Gioia reported on the Saturday morning meeting of the Verde River Citizens Alliance; Representative Lucy Mason gave an update on what is happening in legislation; Gioia reviewed information from a panel discussion on water issues and questions from the public.

14. **Adjournment**

On a motion by Hauser, seconded by Parrish, the meeting was adjourned at 7:47 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 23rd day of May 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 6 day of June, 2007.



Debbie Barber, Town Clerk