

**MINUTES
REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 15, 2006
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, Baker, Kovacovich, Parrish, and Parry were present.

Also Present: Town Attorney Bill Sims, Finance Director Dane Bullard, Town Magistrate Michael Bluff, Grants Administrator Mike Casebier, Town Engineer Ron Long, P&R Director Lynda Moore, Town Clerk Debbie Barber, 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) November 1, 2006 – Regular Session
 - 2) November 1, 2006 – Executive Session
 - 3) October 25, 2006 – Council Hears Planning & Zoning
 - b) **Set Next Meeting, Date and Time:**
 - 1) Council Hears P&Z – November 22, 2006 – **CANCELLED**
 - 2) Council Hears P&Z – November 29, 2006 at 6:30 p.m.
 - 3) Regular Session – December 6, 2006 at 6:30 p.m.
 - 4) Regular Session/Council Hears P&Z – December 20, 2006 at 6:30 p.m. (Note: Council might wish to adjust meeting date(s) to accommodate the Christmas holidays.)
 - 5) Council Hears P&Z – December 27, 2006 – **CANCELLED**

On a motion by Gioia, seconded by Hauser, the Consent Agenda was unanimously approved, with the exception of Item b)4).

On a motion by Gioia, seconded by Baker, the Council unanimously approved rescheduling the meeting date of December 20th to December 13, 2006, pending being able to coordinate that date with Planning & Zoning.

Mayor Gioia requested that Item b)4) be pulled to discuss an alternate date, if possible. After discussion the date of December 13th was tentatively set.

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

6. **Discussion, consideration, and possible approval of funding to the Camp Verde Senior Citizen's Center in the amount of \$1,500 to be used for the payment of a portion of their property insurance costs.**
On a motion by Gioia, seconded by Baker, the Council voted unanimously to grant the Camp Verde Senior Citizens' Center the amount of \$1,500 to be used for payment of a portion of their property insurance costs.

Marian Savage spoke on behalf of the Senior Citizens' Center, explaining that of the \$2500 funding approved for the Center last spring, the amount of \$974 has been spent on repairs and clean-up work, leaving an amount of \$1526. Ms. Savage said that the insurance premium for the Center is \$3138 per year; it would be a great help to the Center to be able to pay the \$1500 on hand toward that insurance premium.

The members discussed the benefit of the Center for the community and the desire to help them. Attorney Sims confirmed that the funds could be used as requested since that would fall into the category of promoting the health and welfare of the citizens, adding that the Statutes governing the Town allows the expenditure of public money for the economic welfare of the inhabitants. The members also discussed with Ms. Savage the lunch program, the Thrift Shop, and the membership fees.

Mike Casebier, Grants Administrator, advised that in connection with the CDBG Grant application, the Center has now brought their finances into the black, the application is able to go forward with the Arizona Department of Housing and approval is anticipated by the end of November.

PUBLIC INPUT

Karen Barr was interested in knowing the hours of operation of the Center's Thrift Store.

The Council agreed to address Item 9 prior to the next Item 7.

7. Discussion, consideration, and possible selection of a member to fill the vacancy on the Housing Commission. This term expires in September 2009.

On a motion by Hauser, seconded by Parrish, the Council voted 6-1 to appoint Linda Buchanan to fill the vacancy on the Housing Commission; with Smith opposed.

Finance Director Bullard pointed out that Letters of Interest have been received from two candidates for the position on the Housing Commission. The members individually expressed appreciation for their responses and phone calls, and acknowledged that since they were both excellent candidates the decision would be difficult.

There was no public input.

8. Discussion, consideration, and possible award of contract to Centennial Contractors Enterprises Inc. through Mohave Education Services Cooperative, Inc. for the completion of the Main Street Improvements project.

On a motion by Baker, seconded by Kovacovich, the Council voted unanimously to approve the award of the contract for the completion of the Town of Camp Verde street improvements at Killingstad's to Centennial Contractors Enterprises through Mohave Education Services Cooperative, Inc., for the completion of the Main Street Improvements project in the amount of the total proposal cost of \$215,469.84.

Town Engineer Ron Long reviewed the State contract service that the Mohave Education Services Cooperative provides that meets the Arizona Revised Statutes for bidding and competitive bidding and procurement processes for construction. Long said that under Mohave there are pre-approved construction contractors that meet the Mohave qualifications and performance requirements, and outlined his research and the basis for his request that the contract be awarded to Centennial Contractors. There was some discussion regarding Gioia and Long contacting ADOT about the remaining \$57,000, as well as possible additional funding; it was agreed that any talks along that line would not delay the subject project. Discussing the cost of the subject project that has been greatly increased because of the delay in obtaining the necessary property, and a question regarding recovering some of that extra expense as part of the ongoing condemnation proceeding, Attorney Sims advised the Council that the court does not

award damages in condemnation actions. Mike Casebier commented on the two CDBG projects that are ongoing, including using job-order contracting as a way to save costs.

There was no public input.

9. **Monthly financial update by Finance Director Dane Bullard.**

There was no action taken.

Finance Director Dane Bullard presented his monthly financial update during which the members discussed the report with Bullard in detail, with input from Town Engineer Ron Long and Town Clerk Barber as well.

There was no public input.

10. **Discussion, consideration, and possible authorization to install a security system in the Council Chambers/Court Room and approval of the associated increase for monitoring. The cost of installation is approximately \$798 and the increased monitoring cost is approximately \$166.00 annually. The Court will pay ½ the installation/monitoring costs of \$482.00 with budgeted funds, while the Council will cover the remaining ½ with unbudgeted funds from the General Fund.**

On a motion by Gioia, seconded by Hauser, the Council unanimously authorized the security measures requested by staff.

Town Magistrate Michael Bluff said that discussions have been ongoing regarding installing a security system to protect both Council and Court equipment in the Council room that is also used by the Court. Bluff said that the existing contract that covers monitoring the rooms occupied by the Court personnel was originally paid for by the Court and a similar system would be available to add to the Council room at the relatively low cost of around \$800. Bluff explained that the monthly monitoring cost would increase from about \$25 to \$40, or an annual increase of about \$166. Therefore, the approximately \$800 would be split between the Court and Administration, and the monitoring cost split, so the unbudgeted amount would be around \$500. Bluff added that access to the room would change to a code system. Discussing the changeover to a code system and who will be authorized to use it, the members agreed that those technical details can be worked out between the Court and Administration.

There was no public input.

11. **Discussion, consideration, and approval to exceed the Special Event Supplies line item by the amount of sponsorship monies received.**

On a motion by Hauser, seconded by Gioia, the Council voted unanimously to table the item.

Bullard said that Parks & Rec Director Lynda Moore was present to explain her request, adding that her Staff Report specifically addresses the Special Event budget. Bullard explained the problem with staying with the amount budgeted due to the method of identifying sponsorship monies in past years. The Council questioned how the calculations were made in working on the budget; after discussion with Bullard and Moore, Bullard suggested that this item be tabled to a later date; staff will review the calculations further and bring the issue back to Council.

There was no public input.

12. **Discussion, consideration, and possible approval of additional funds in the amount of \$8,475.86 to be added to the Parks & Recreation Salaries Line Item to fund the part time receptionist position that was funded through the Easter Seals program.**

Staff was directed to work out within the P&R budget some way to find the requested funding and bring it back to Council.

P&R Director Moore reminded the Council about the Easter Seals program that sends seniors into the workplace to be trained, and explained that the employee who has worked under that program for two years is coming to the end of the contract. Moore said she has proven to be a valuable member of the office as a part-time receptionist for the Parks & Rec, Streets and Finance departments. The Council acknowledged that she has worked out very well, but questioned why the termination of the Easter Seals contract had not been anticipated during the budget work sessions. The Council also discussed the P&R salary budget, suggesting that an adjustment might cover the amount requested.

There was no public input.

13. **Presentation on the projected and final expense budget for the 50th Annual Ft. Verde Days event.**

There was no action taken.

Moore referred the members to the Fort Verde Days Profit and Loss Statement, copies of which had been provided in the agenda packet. Moore said that working with a proposed budget going into the event has been a valuable guideline; the event has come in under the budget, and more sponsorships than anticipated were brought in. The Council discussed with Moore the method of calculating the income and expense, suggesting it perhaps artificially showed a higher profit, and requested clarification of those figures in the future, including insurance and comp time expenses. Bullard said he would re-format the Profit and Loss Statement as requested, to have it more fairly reflect the actual income and expense. Moore was congratulated on her efforts to comply with the suggestions made during budget time regarding keeping the Council informed.

There was no public input.

14. **Discussion, consideration, and possible approval of funds not to exceed \$6,000 for appraising various options in 40-acre increments at the proposed Community Park located on the Old Airstrip.**

On a motion by Baker, seconded by Gioia, the Council unanimously approved funds not to exceed \$6,000 for appraising various options in 40-acre increments at the proposed Community Park located on the Old Airstrip, with the amount not to exceed \$6,000 to come from the Parks fund.

Bullard reminded the Council of the history of trying to acquire property for the park and to try to re-negotiate a fair price with the Forest Service. He said he understands that Council has requested staff to obtain reappraisals. The Council discussed the problem of trying to fund the entire 223 acres that had been appraised by the Forest Service at \$30,000 per acre, resulting in the suggestion to research variable possibilities for the community by getting appraisals on 40-acre increments. It was pointed out that the Town could then go back to talk to the Forest Service with information on what the Town could afford and what the Town could make decisions on. P&R Director Moore said that by going back to the Forest Service with a revision as to how much the Town can afford based on the reappraisal, it will be possible to use the NEPA study that is already completed.

PUBLIC INPUT

Jeremy Bach voiced his opinion that the \$30,000 per acre is a bargain compared with other properties in the area, and perhaps the Town could request options on future purchases.

Shirley Brinkman said she believes the estimator was not a good one, that a complaint should be made to the Forest Service about that, and to get another estimator.

Bob Johnson understands selecting a smaller parcel that the Town can afford, but perhaps the Town could go ahead and borrow the money.

Mayor Gioia responded to the speakers in general, saying that purchase of the property at \$30,000 per acre is no longer an option, and although the Forest Service has indicated that Federal land cannot be earmarked for future purchase, they have been requested to further research that possibility, and as for borrowing the funds the community has already declined to assume the debt through a property tax. Gioia said there is another acquisition possibility in that a Congressman is drafting a bill that might allow public land to be acquired very equitably.

15. **Discussion, consideration, and possible selection of activities for the Town's 20th Anniversary celebration.**

There was no action taken.

The Council discussed ideas for activities, including a tongue-in-cheek suggestion for a recall reenactment program, a suggestion to let the P&R Department come up with a plan, a buffet get-together with past Town officials, and touching base with the Historic Society for ideas. Moore suggested coordinating with the Downtown Merchants upcoming activities on December 9th, and invited a Council member to join her at the next Merchants' meeting scheduled for Monday, November 20th at 6:00 p.m.

PUBLIC INPUT

Irene Peoble said that Basha's is celebrating their 20th year in Camp Verde on December 3rd, and reminded the Council of all the community organizations that have the Old West theme; perhaps they could do some reenactments in the area.

There was no further public input.

16. **Discussion, consideration, and possible removal of Mr. Womack from the Planning & Zoning Commission.**

On a motion by Parry, seconded by Hauser, the Council voted 5-2 to remove Mr. Womack, with regret, from the Planning & Zoning Commission; with Smith and Baker opposed.

Vice Mayor Hauser expressed her concern as to whether the type of behavior that has come to her attention is the image that the Council wants presented on the Town's Commissions and Boards, referring to Mr. Womack's driving infractions, pointing out that his oath of office included the promise to comply with the laws. The members generally agreed with Hauser, stressing the importance of professional and personal conduct being above reproach; however there were opposing comments suggesting that Mr. Womack was not alone in receiving tickets for speeding, or perceived as acting outside of the law, and he therefore should not be unfairly singled out

PUBLIC INPUT

(Comments from the following individuals are summarized as follows.)

Gary Blair outlined the basis of his support for the removal of Mr. Womack from the P&Z Commission.

Mary Blair also voiced her belief that Mr. Womack should be removed from office because of his driving infractions.

Robin Whatley expressed her opinion that Mr. Womack should be dismissed from the P&Z Commission.

Bob Johnson spoke in support of removing Mr. Womack from the P&Z Commission, reading from a letter he said he had drafted for publication in the newspaper. *NOTE: When it became apparent that Mr. Johnson's remarks constituted a personal and public attack on Mr. Womack's character not based on verifiable facts, Attorney Sims intervened and asked if he had sought*

counsel before making his comments; Mr. Johnson persisted, and Mayor Gioia finally requested that Mr. Johnson leave the speaker's stand, and called for the next person.

Bobbie White May expressed her opinion, as well as agreement with what the other speakers had said, and also supported the removal of Mr. Womack from office.

Paul Clawson added his comments in support of dismissing Mr. Womack from the P&Z Commission.

Kathy Davis spoke in support of the removal of Mr. Womack from office, based on her personal experience.

Sandy Moore said that she believes that Mr. Womack should step down from office.

Norma Garrison, a member of the Housing Commission, expressed her strong support for the removal of Mr. Womack from the P&Z Commission.

Jim Bullard spoke in support of retaining Mr. Womack on the P&Z Commission.

There was no further public input.

Based on some strongly conflicting opinions the Council continued to discuss the possibility of removing Mr. Womack from the Commission. It was acknowledged that he had initially been given the opportunity to resign voluntarily, which would have precluded the public hearing being held that gave rise to the negative comments from the members of the community.

Attorney Sims commented that the record should indicate that when public comment appeared to go beyond the bounds permitted by law, the Mayor requested the speaker to bring his comments to a close. Sims then recommended that he be requested to prepare a revision to the Town Code regarding removal from office, to include the wording, "Removal for the best interests of the Town," and require a super majority vote of the Council, in order to simplify the decision process and avoid inviting unhelpful public scrutiny in the future.

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

There was no public input.

18. **Advanced Approvals of Town Expenditures**

There were no advanced approvals of Town expenditures.

19. **Manager/Staff Report**

There was no Manager/Staff report.

20. **Council Informational Reports**

Smith reported on his attendance at the Verde Valley Transportation and Planning Organization meeting on November 8th; he detailed extensive information regarding planned development activities, construction projects, and highway improvements in the Verde Valley.

Hauser announced lots of work going on in connection with MatForce, Verde Watershed, and the WAC; she also suggested members getting together to go shopping Monday at ALCO for the Christmas Family project.

Gioia reported on the Prescott Valley Events Center opening night; of particular interest was that the financing for that Center was accomplished through a private/public partnership. Gioia commented on his discussions with the County Supervisor and the Mayor of Flagstaff at that event, as well as his assessment of the hockey game. Gioia also shared information he brought

back from the Super Bowl 42 Mayors' Luncheon; he will be pursuing economic benefits for the Verde Valley from the Super Bowl event that benefits the entire State.

Parrish said that he received a call from the Verde Valley Medical Center expressing disappointment that no one from Camp Verde had attended the event.

21. **Adjournment**

On a motion by Baker, seconded by Hauser, the meeting was adjourned at 10:01 p.m.

Tony Gioia 11/30/06
Tony Gioia, Mayor

Margaret Harper
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 15th day of November 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 1 day of December, 2006.

Deborah Barber
Debbie Barber, Town Clerk