

**MINUTES  
REGULAR SESSION  
MAYOR and COMMON COUNCIL  
TOWN OF CAMP VERDE  
COUNCIL CHAMBERS  
WEDNESDAY, NOVEMBER 16, 2005  
at 6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.  
Input is placed after Council motion 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 Baker, Councilors Hauser, Smith, Kovacovich, Parrish and Teague were present.  
  
**Also Present:** Community Development Director Will Wright, Town Attorney Bill Sims, Sr. Planner Buckel, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper; Town Manager Bill Lee arrived at 8:30 after attending the ADOT Hwy 260 meeting.
3. **Pledge of Allegiance**  
The Pledge was led by Gioia.
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 2, 2005 – Regular Session
    - 2) October 27, 2005 – Special Session
    - 3) October 26, 2005 – Council Hears P&Z
  - b) **Set Next Meeting, Date and Time:**
    - 1) Council Hears P&Z – November 23, 2005 at 6:30 p.m. – **CANCELLED**
    - 2) Regular Session – December 7, 2005 at 6:30 p.m.
    - 3) Joint Work Session w/ P&Z Commission – December 14, 2005 at 6:30 p.m.
    - 4) Regular Session – December 21, 2005 at 6: 30 p.m.
    - 5) Council Hears P&Z – December 28, 2005 at 6:30 p.m.. – **CANCELLED**
  - c) **Possible acceptance of the resignation of Toni Harris from the Parks & Recreation Commission with appreciation for her service.**
  - d) **Possible approval of a letter of support for Dr. Wilbert Odem’s request for a sabbatical to assist the Town with activities related to the Verde Lakes Drive/Clear Creek Crossing project.**
  - e) **Possible acceptance of the road, Summit Point Court, that is located in the Verde Valley Business Park.**
  - f) **Possible approval of Resolution 2005-669, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona declaring and adopting the results of the Special Election held on November 8, 2005.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved the Consent Agenda as presented, with the addition of a date in January for the Retreat, to be set by staff.
5. **Call to the Public for Items not on the Agenda.**  
There was no public input.
6. **Possible authorization to enter into a contract and for the Mayor to execute a contract for a biological evaluation, cultural resources investigation, and Section 404 Clean Water Act Permit application submittal in an amount not to exceed \$20,000 for the Verde Lakes Drive/Clear Creek Crossing project.**

On a motion by Smith, seconded by Gioia, the Council unanimously authorized a contract for a biological evaluation, cultural resource investigation, and Section 404 Clean Water Act Permit application submittal in an amount not to exceed \$20,000 for the Verde Lakes Drive/Clear Creek Crossing project.

Mayor Gioia reviewed preliminary steps for the Verde Lakes Project, to identify funding, complete a 404 application, and have an environmental study done; the requested amount will allow the project to get started.

#### **PUBLIC INPUT**

**Jim Burke** commented that the neighborhood and the Town will be benefited by the project, and offered his volunteer help as an operating engineer.

**Clive Jordan** expressed support, but also his concern about the project causing a possible decrease in water flow further down the Creek.

**Sandy Cronin** thanked the Council for giving the flooding problem serious consideration.

**Bob Johnson** agreed that the project is very badly needed and thanked the Council.

**Ted Showers** also pointed out the safety and emergency concerns, and wanted to thank the Council and the Mayor.

There was no further public input.

7. **Public Hearing regarding use of FY 2006 CDBG funds and possible selection of potential project(s) for the FY 2006 CDBG application:**

There was no action taken.

#### **STAFF PRESENTATION**

Town Clerk Barber presented a comprehensive overview and history of the CDBG program benefits and requirements, including the mandate for public hearings for input, followed by a Power Point presentation of projects requested by staff, plus two requests from the public for Council consideration.

#### **PUBLIC HEARING OPEN**

**Arlene Cronis**, Secretary of the Camp Verde Senior Center, reviewed the list of the Center's needs for consideration for proposed CDBG projects.

**Rick Carling**, Pastor of the Methodist Church, identified proposed missions and objectives of the church, including food distribution, establishing a low-cost or free medical clinic, possibly day care, and the estimated costs, for consideration for the CDBG program. **Margaret Keener**, **NACOG Representative**, explained that the church could be eligible as long as there is no proselytizing and does not require church membership.

**Clint Teague** requested confirmation that Overlook Acres and Rainbow Acres would also be included in the Middle Verde flooding issues.

There was no further public input.

#### **PUBLIC HEARING CLOSED**

##### **Council Discussion**

Following the presentation and public input, and with only a brief discussion, the Council agreed to hear Item 11 next.

**On a motion by Baker, seconded by Teague, the Council voted to go into Executive Session for discussion on legal advice on Item 11; with a 'no' vote by Hauser.**

**The meeting was adjourned at 7:19 p.m. to go into Executive Session; the meeting was called back to order at 8:10 p.m., after relocating to the Gym.**

**Item 11 was then addressed prior to Item 8.**

8. **Presentation by Chamber of Commerce Executive Director Roy Gugliotta and request for \$2,000 to join the Northern Arizona Marketing Coalition followed by discussion and possible approval of the request.**

On a motion by Hauser, seconded by Teague, the Council unanimously approved the request for \$2,000 to join the Northern Arizona Marketing Coalition.

Roy Gugliotta reported on his research into the Northern Arizona Marketing Coalition, and reviewed all of the ways that tourism could be increased and resulting benefit to the Town of Camp Verde by the Chamber having a seat at the table and a voice as to how money is spent by the Arizona Office of Tourism.

There was no Council discussion or public input.

9. **Discussion, consideration, and possible approval of Ordinance 2005-A316, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to Exhibit C of Ordinance 2005-A313 that includes exceptions to the street standards for five parcels 403-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, and 404-19-152L. This amendment changes the sidewalk width in "Section D" to 6 feet and the asphalt walkway in "Section E" to 6 feet on one side of the street only.**

On a motion by Hauser, seconded by Smith, the Council unanimously approved Ordinance 2005-A316, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to Exhibit C of Ordinance 2005-A313 that includes exceptions to the street standards for five parcels 403-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, and 404-19-152L. This amendment changes the sidewalk width in "Section D" to 6 feet and the asphalt walkway in "Section E" to 6 feet on one side of the street, for Homestead at Simonton Ranch only.

Director Wright explained that the amendment proposed by the subject ordinance would permit for a change in the exceptions to the street standards to allow revisions to the sidewalk width and the asphalt walkway and would apply to the Homestead at Simonton Ranch only.

There was only brief Council discussion and no public input.

10. **Discussion, consideration, and possible approval of Resolution 2005-666, a resolution of the Common Council of the Town of Camp Verde, Arizona approving Use Permit 2005-01 for the purpose of placing an Off-Premise sign on parcel 403-22-035H for a period of three (3) years. The location of the sign is adjacent to the I-17 northbound off ramp.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved Resolution 2005-666, a resolution of the Common Council of the Town of Camp Verde, Arizona approving Use Permit 2005-01 for the purpose of placing an Off-Premise sign on parcel 403-22-035H for a period of three (3) years. The location of the sign is adjacent to the I-17 northbound off ramp.

#### **STAFF PRESENTATION**

Director Wright reviewed the request for the off premise sign, the purpose of which is to help direct travelers on northbound I-17 to the applicant's businesses; ADOT has no space available at this time; the property owner, Henry Shill, has agreed to the placement of the sign on his

property. The P&Z Commission approved the request, with the recommendation that the proposed sign be professionally designed.

### **PUBLIC HEARING OPEN**

#### **Applicant's Statement**

Charles Malone distributed copies of a revised proposed sign, and made a presentation on the history of his faith in Camp Verde, his significant investment in the Travel Center, replacing an existing Chevron Station, and subsequent problems with attracting traffic to the business because of a lack of ADOT signage and visibility for northbound travelers on the I-17 freeway.

### **COMMENT FROM OTHER PERSONS**

There was no comment from other persons.

### **APPLICANT'S REBUTTAL**

There was no rebuttal necessary.

### **PUBLIC HEARING CLOSED**

#### **Council Discussion**

The Council was assured by Mr. Shill that he has received confirmation from the County Assessor's office that the sign would not affect the tax status of his property, which had been one concern of the P&Z Commission. The discussion also included some concern about an issue raised by a competing business about the applicability of a use permit on the off-premise property; Town Attorney Sims advised the Council that there was no problem. In response to a question, Mr. Malone said that he had personally contacted ADOT and was told there was no space for a new sign at this time.

11. **Discussion, consideration, and possible approval of Resolution 2005-668, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-04 for the purpose of developing Millwood Subdivision on parcels 404-04-021 and 404-05-085 consisting of approximately 50.36 acres and 31 lots with the minimum lot size being one acre.**

A motion by Gioia, seconded by Hauser, that Council table this item, give the developer the opportunity to work with the neighbors further, perhaps discuss the density a little further, changing lot sizes, answer some of the questions raised regarding the septic, traffic, water supplies, volume and quality giving a little more confidence to the needs of surrounding neighbors, and further the contact with the Verde Valley Land Preservation Institute to see if the property owners would monetarily be kept whole, to keep it in farmland, **failed by a 2-5 vote**, with Kovacovich, Smith, Baker, Parrish and Teague opposing.

On a motion by Smith, seconded by Baker, the Council voted 4-3 to approve Resolution 2005-668, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-04 for the purpose of developing Millwood Subdivision on parcels 404-04-021 and 404-05-085 consisting of approximately 50.36 acres and 31 lots with the minimum lot size being one acre, adding a stipulation acknowledging public concern regarding traffic, septic, groundwater issues, and Diamond S Ditch; with 'no' votes by Parrish, Gioia and Hauser.

### **STAFF PRESENTATION**

Community Development Director Wright reviewed the subject project adding that the P&Z Commission had met earlier this month and denied the request after hearing considerable input from the public expressing concern over several areas including desire to retain the open space, flood control, the tapping into water for wells as well as the Diamond S Ditch for irrigation, the proposed septic systems, and impact on traffic. Wright said that the developer would need to meet the various agency requirements. In addition to addressing the agency regulations, the applicant is trying to meet those concerns of the public. The zoning on the property would allow the proposed development.

**PUBLIC HEARING OPEN**

**Applicant's Statement**

Jeremy Bach reviewed the zoning and the fewer number of lots proposed as a compromise, reminding everyone that the request is only for preliminary plat approval; the State and County agencies all have to approve a final plan. Mr. Bach added that his accompanying staff included the project engineer, a waste water management specialist, and ground water specialists to answer questions and concerns. The owner of the property approves of the down-zoned development; she had also offered the property for purchase for farmland, which did not work out.

**COMMENT FROM OTHER PERSONS**

**Lois Knutsen** expressed her major concerns regarding traffic, septic systems and water pollution.

**Bob Womack** went on record to say he is in favor of the project, that concerns can be resolved, progress is inevitable, and property rights should be respected.

**Therese Tobish** protested the suggestion to widen Quarterhorse Lane, and is concerned about the water table and septic systems.

**Bob Johnson** questioned how the zoning was originally granted, that it does not fit the surrounding area.

**Rick Mabery** expressed the concern over the development creating safety and public welfare issues for the Diamond S Ditch, appreciates the willingness of AZNorth to work with them to resolve any problems, and does not take a position for or against the development.

**Kevin Hauser** protested the loss of farmland, questioned the zoning and reviewed the history of the property to support his strong opposition of the development.

**Frank Geminden** said it is time to call a stop to this development and to preserve farmland.

**Dick Timlin** spoke as a retired hydro-geologist, will be interested in input from the developer's specialists regarding wastewater treatment systems and water run-off; and is opposed.

**Ben Pemberton** is concerned about the proposed wells, septic tanks, water contamination, and is opposed.

**Mike Parry**, a member of the P&Z Commission, said the situation is not workable and the Council must do what is right for the Town.

**Nancy Jenner** read from an additional petition protesting the impact on traffic, safety and lifestyle.

**Jerry Tobish** would like to see the project denied; development brings traffic and crime.

**Deborah Moody** urged the Council not to sell out Camp Verde "for the buck."

**Jim Norris** is concerned about pollution, does not want any change, and threatened a lawsuit if his well and water supply are polluted.

**Warren Gilbert** said property owners have rights; those who do not want growth should leave; he is in favor of the project.

**Bob Meacham** pointed out that decisions made now will affect the future; farmland is a valuable resource; Council should respect the wishes of the citizens; he is opposed.

**APPLICANT'S REBUTTAL**

Jeremy Bach responded to the various concerns of the citizens, with input from Luke Sefton, the project engineer, and the wastewater and ground water specialists, setting forth in detail the plans to mitigate any problems for the surrounding areas. Bach also assured the Council regarding the plans to work with the Diamond S Ditch Company to address that company's concerns. During the lengthy rebuttal and input, there was also discussion between the Council and the applicant and his staff, with debate on some issues by members of the public.

**PUBLIC HEARING CLOSED**

**A recess was called at 9:55 p.m.; the meeting was called back to order at 10:10 p.m.**

**Council Discussion**

The Council discussion posed questions for the applicant and his staff requesting further clarification of technical aspects regarding the effect of the development on the water table and existing wells and quality of water and management of the septic systems. The discussion included the proposal to explore development rights for agricultural properties and acknowledgement of the need to respect private property rights, and a suggestion that without management of the subdivision process, continual wildcat lot splits could occur. There was also comment that the public input had contained more negatives than positives. After further debate, the Council proceeded to take action on the request for approval.

12. **Discussion, consideration, and possible approval of Resolution 2005-667, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-10 for the purpose of developing River's View Estates Subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of approximately 16.91 acres and 15 lots with the minimum lot size being one acre. The location of this site is off of Finnie Flat Road behind Outpost Mall and accessed by a new roadway.**

On a motion by Teague, seconded by Parrish, the Council unanimously approved Resolution 2005-667, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-10 for the purpose of developing River's View Estates Subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of approximately 16.91 acres and 15 lots with the minimum lot size being one acre.

**STAFF PRESENTATION**

Director Wright said that the proposed River's View Estates Subdivision was another phase of the Simonton Ranch development, with 15 lots with a minimum size of one acre each. The P&Z Commission has recommended approval. The roadway and other off-site amenities will comply completely with what had previously been approved by Council.

**PUBLIC HEARING OPEN**

**Applicant's Statement**

Rob Witt pointed out that the proposed subdivision is the least dense of all the Simonton Ranch projects; he reviewed all the features that included two entrances in and out, walkways on both sides of the road, trails, and plans for sewer service or septic.

**COMMENT FROM OTHER PERSONS**

There was no comment from other persons.

**APPLICANT'S REBUTTAL**

There was no rebuttal necessary.

**PUBLIC HEARING CLOSED**

**Council Discussion**

The Council confirmed that future sewer service, or alternative systems, had been addressed, and also briefly discussed walkways, the Woods Ditch, the expansive soils and drainage issues; Wright said that no concerns or opposition had been expressed by the Sanitary District.

13. **Discussion, consideration, and possible authorization to retain Indstone Appraisal Service, LLC for the appraisal of parcels 404-19-166, 404-19-018A, and 404-19-018C for the Black Bridge River Front Park in an amount not to exceed \$1,150.**

On a motion by Hauser, seconded by Teague, the Council unanimously authorized the allocation of \$1,150 for the appraisal of parcels 404-19-166, 404-19-018A, and 404-19-018C for the Black Bridge River Front Park.

Staff reviewed the need for the subject appraisal, confirming that the amount is included in the budget and is part of the SLIF grant.

There was comment from the Council regarding the need to move forward on the project as soon as possible.

There was no public input.

14. **Discussion, consideration, and possible approval of the Public Works Project Manager and/or Engineer job description and direction to staff to advertise for one or the other position.**

On a motion by Hauser, seconded by Baker, the Council voted unanimously to table Item 14.

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

There was no public input.

16. **Advanced Approvals of Town Expenditures**

On a motion by Teague, seconded by Baker, the Council unanimously approved the expenditure not to exceed \$29,500 to remove the asbestos for public safety as discussed.

Town Manager Lee reported that in connection with the renovation of the property for the Marshal's Office a content of more than 2% asbestos had been found in the block walls; based on one proposal received and two more expected, the amount of not more than \$29,500 is being requested to remove the hazard before the project can continue. During a brief Council discussion of this new problem, Attorney Sims confirmed that immediate steps must be taken because of the threat to the public health and safety.

17. **Manager/Staff Report**

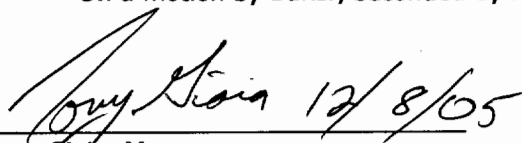
There was no Manager/Staff report.

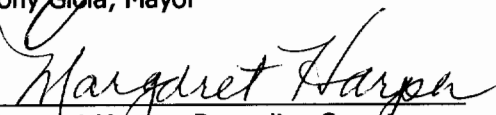
18. **Council Informational Reports**

Smith reported that he and Gioia had enjoyed participating in the Toy Ride Saturday, the weather was perfect.

19. **Adjournment**

On a motion by Baker, seconded by Hauser the meeting was adjourned at 11:50 p.m.

  
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Tony Gioia, Mayor

  
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Margaret Harper, Recording Secretary