

**MINUTES (Corrected)
REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 18, 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 6:30 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Hauser, Councilors Baker, Kovacovich, Parrish and Parry were present; Councilor Smith was absent.

Also Present: Town Manager Bill Lee, Town Attorney Bill Sims, Finance Director Dane Bullard, Magistrate Bluff, Marshal Smith, Community Development Director Buckel, Housing Director Morris, Grants Administrator Casebier, Library Director Laurito, Engineer Long, Asst. to Town Manager Carol Brown, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Baker.

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) September 20, 2006 – Executive Session
- 2) September 27, 2006 – Council Hears Planning & Zoning
- 3) October 4, 2006 – Regular Session

b) Set Next Meeting, Date and Time:

- 1) Council Hears P&Z – October 25, 2006 at 6:30 p.m.
- 2) Regular Session – November 1, 2006 at 6:30 p.m.
- 3) Work Session – November 8, 2006 at 6:30 p.m.
- 4) Regular Session – November 15, 2006 at 6:30 p.m.
- 5) Council Hears P&Z – November 22, 2006 – **CANCELLED**
- 6) Council Hears P&Z – November 29, 2006 at 6:30 p.m.

c) Possible acceptance of Virginia Jones' letter of resignation from the Housing Commission, with appreciation.

d) Possible acceptance of quarterly reports from the Board of Adjustments and Planning & Zoning Commission.

e) Possible approval of Resolution 2006-706, a resolution of the Mayor and Town Council of the Town of Camp Verde, Arizona, supporting the Verde Valley Regional Land Use Plan with the attached recommended changes.

f) Possible approval of Resolution 2006-707, a resolution of the Town Council of the Town of Camp Verde, Arizona, stating the salary equivalency and the number of authorized positions for reserve police officers in the Town of Camp Verde.

g) Possible approval of Resolution 2006-710, a resolution of the Town of Camp Verde, Arizona, establishing a salary equivalent for purposes of computing insurance premium and compensation benefits for volunteers.

h) Possible approval of contract with Tetra Tech EM Inc. to prepare a Waste Water Master Plan for the area extending from the western boundary of the Camp Verde Sanitary District or Dickinson Circle to the location of the Coury dealership.

i) Possible approval of Economist.com contract to assist with additional financial evaluation, impact analysis, rate plans, and due diligence with regard to the possible acquisition of Camp Verde Water System.

On a motion by Hauser, seconded by Parrish, the Consent Agenda was unanimously approved as presented, with the exception of Items **h)** and **i)**.

Mayor Gioia requested that Items 4. **h)** and 4. **i)** be pulled for separate consideration.

h) Possible approval of contract with Tetra Tech EM Inc. to prepare a Waste Water Master Plan for the area extending from the western boundary of the Camp Verde Sanitary District or Dickinson Circle to the location of the Coury dealership.

A motion by Baker, seconded by Kovacovich, to approve the contract with Tetra Tech EM Inc. to prepare a Waste Water Master Plan for the area extending from the western boundary of the Camp Verde Sanitary District or Dickinson Circle to the location of the Coury dealership; this is a budgeted item in the General Fund; **failed by a 2-4 vote**, with 'no' votes by Gioia, Hauser, Parrish and Parry.

On a motion by Gioia, seconded by Hauser, the **Council voted 4-2 to direct staff** to put together possibilities for change in proposal, document the time line to Council, include discussion with Tetra Tech for change to their scope, and contact WIFA for their recommendations in changing that scope; with 'no' votes by Baker and Kovacovich.

Mayor Gioia requested an explanation regarding how the RFP process required by the Town Code was by-passed. Lee said that Mike Casebier had re-applied for the WIFA Technical Assistance Grant to study the subject area and \$35,000 was received which will be combined with the \$70,000 received from the Yavapai-Apache Nation over the last two years. Casebier explained how the consultant was selected from the WIFA-approved list, as suggested by WIFA, as an alternative to following the RFP process. Mayor Gioia continued to express his concern about the method used to award the proposed consultant contract as well as the use of the Y-A funds earmarked for infrastructure.

Attorney Sims stated that Tetra Tech was procured under the authority of the Town to accomplish the direct selection of a professional pursuant to ARS Section 34-103.D.

Mayor Gioia discussed the proposed contract with the Tetra Tech Lead Consultant, **Waseem Kahn**, who explained in essence that the contract was intended to provide only the basis for requesting the future funding for the infrastructure, not how the funding will be provided, which would be a change in the scope of work. Mayor Gioia maintained that the Council's understanding was that the contract should have included a small chapter on the financial issues as possibilities that can be used, not specifics, and should be a part of the contract as one of the deliverables. Mr. Kahn said he would have to review the contract in order to make any change. Baker expressed concern about a change adversely affecting the WIFA grant and her understanding that the contract does provide what the Council had requested; Casebier confirmed that the grant funding could be lost by altering the scope of work substantially from what was approved.

To clarify the motion made by Gioia regarding the time line, staff was instructed to bring the issue back to Council as soon as possible based on whatever WIFA has to say, whether the Town has to go back through a process, all the time frame possibilities. Sims advised Gioia that the Town will be given legal advice on the issue during an Executive Session. Baker explained that her 'no' vote was based on concern about possibly losing the grant that has been received.

PUBLIC INPUT

Norma Garrison, in summary, stated her concern about the Town apparently acting contrary to the provisions of the Town Code that mandate advertising for bids. *Casebier responded that the bid from Tetra Tech was the only one received from the WIFA-approved list.*

There was no further public input.

NOTE: Item 4.i) was suspended from the Consent Agenda until after discussion in Executive Session.

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

There was no public input.

6. **Public Hearing followed by discussion, consideration, and possible endorsement of the American Legion Post 93 application for a Bingo License.**

On a motion by Gioia, seconded by Baker, the Council unanimously endorsed the American Legion Post 93 application for a Bingo License.

Town Clerk Barber advised the Council that the Bingo License application is similar to the requirements for a liquor license, has been posted for this public hearing, and no comments have been received. **Ken McKnight**, representing the American Legion Post 93 reviewed the plans for and the responses to the opportunity to play bingo locally, and outlined the charities that the net proceeds from the games will benefit.

PUBLIC INPUT

Hank Hoover offered his strong endorsement for the bingo games and how the funds help charities.

There was no further public input.

7. **Presentation by Arizona State Parks Representative Max Castillo on the Greenway River Trail System.**

Following the presentation the Council agreed to provide the **letter of support and/or a resolution; the issue will be included on a Consent Agenda.**

Max Castillo gave a comprehensive Power Point presentation on the Greenway River Trail System and the river trail that is planned to extend all the way to Beasley Flats and then through the wild and scenic river portion. Mr. Castillo explained that the goals and objectives of the Greenway project are basically to conserve the natural resources, describing and showing illustrations of many examples.

In response to a question regarding how the Town might be able to help in the project, Mr. Castillo suggested that the Council could submit a resolution or letter of support to the State Parks Board agreeing with the concept of extending the Greenway all the way down to Beasley. Lee reminded the Council of the Parks & Recreation Master Plan that has to do with developing a river trail system within the Town limits, and described the ongoing efforts in that regard.

PUBLIC INPUT

Robert Johnson asked about using chemicals on the invasive plants. *Mr. Castillo responded that it is possible to have the plants sprayed with chemicals by contract.*

Norma Garrison commented on the plan regarding forest road closures and wondered how that might affect the access roads to the river. *Mr. Castillo said that most of the access will be to a parking lot, and from there access will be non-motorized.*

There was no further public input.

8. **Discussion, consideration, and possible approval for additional funding in the amount of \$12,432.62 to be added to the Janitorial Salaries line item.**

On a motion by Kovacovich, seconded by Baker, the Council unanimously approved additional funding in the amount of \$12,432.62 to be added to the Janitorial Salaries line item.

Lynda Moore said that the janitorial services required have increased because of the addition of space in the Marshal's Office; there is not enough time to accomplish what needs to now be done within the hours approved by the budget. The requested amount would allow the part-time employee to work full time.

There was no public input.

9. **Discussion, consideration, and possible approval of a budget override of line item 20-70-76-8401, Street and Safety Signing, for \$1,171.02 to cover the costs of the 'Covered Load' signs as requested by Council.**

On a motion by Gioia, seconded by Hauser, the Council unanimously approved a budget override of line item 20-70-76-8401, Street and Safety Signing, for \$1,171.02.

Town Engineer Ron Long explained that the amount budgeted for did not include the 'Covered Load' signs, tht the requirement was not foreseen at budget time. The signs have been purchased at a cost of \$1,171, and based on experience the budget will be short that amount. Long felt the Council should be aware of that now rather than at the end of the year.

The Council raised the question of braking signs that are needed at more locations in the Town; **staff was directed** to look into that. Long confirmed he would do so.

PUBLIC INPUT

Robert Johnson reiterated his concern about vehicles speeding on the road where he exits Verde Lakes Drive, and that signs are needed there to warn drivers to slow down as well as at Sierra Verde Road.

There was no further public input.

10. **Discussion, consideration, and possible direction to staff to negotiate a contract with EnviroSystems Management Inc. for the archaeological treatment or mitigation of Black Bridge Park.**

Staff was directed as follows: (1) to look into the University possibility; (2) Gioia still waiting to hear back from the Nation; (3) to look into the possibility of the State agency; and (4) Brenda "has a friend" who might be of help. Gioia requested an update at the meeting on November 1st; that will be on the agenda.

For the record, Gioia clarified for the residents that any physical changes on the land have stopped until the excavation phase has been settled.

Lee referred to the proposal from EnviroSystems to clear the entire archaeological site as well as a 60-foot right-of-way. Lee understands that there is a State agency that might help pay for the cost; he also is aware that Gioia is discussing working with the Nation on getting their help. Lee also suggested the possibility of applying for a SLIF grant in December, and the more work that is accomplished in advance would be of more help in getting the grant. Lee said he hoped to wrap it up within the next 30 days; if there is no commitment from the Nation perhaps the Town could move forward with the proposal that has been presented. Gioia reported on his understanding from the Nation archaeologist that the Forest Service has volunteers that might do the work free, based on a grant application from the Nation archaeologist, if authorized, who

would also supervise. Parrish also suggested using the University students as had been done in the past. There was further discussion on the possible timeframe; it was agreed that a decision on the subject proposal could be held in abeyance.

PUBLIC INPUT

Paul Clawson requested clarification of the proposed cost; Lee said the \$38,000 would clear the entire site, but would not include construction of the road. Mr. Clawson sincerely thanked the Council for stopping the work, and assured the Council that the residents are in support of their efforts.

There was no further public input.

11. **Presentation by Town Manager Bill Lee regarding FY 05/06 departmental accomplishments.**

There was no action taken.

Lee made a Power Point presentation on his departmental FY05/06 accomplishments, ending with a commendation for the Town employees and their desire to serve the community, their ability to perform, and courage to act under adverse conditions at times. In conclusion, Lee stressed that he wants to continue as the Town Manager, that he has worked hard for the community and a lot of good things have been accomplished. He believes he has the support of the staff and the majority of the citizens of Camp Verde.

Mayor Gioia, on behalf of the Council, joined in thanking all of the department heads and staff members for all the work that is done for the community.

The Council next briefly discussed the possibility of going into Executive Session on the following four items 12, 13, 14 and 15; Attorney Sims confirmed that the action that the public would need to be aware of is the one item from the Consent Agenda, Item **4.i**). It was also confirmed that direction to staff could be given during an Executive Session.

On a motion by Baker, seconded by Kovacovich, the Council voted unanimously to go into Executive Session for Items 12, 13, 14 and 15, and Consent Agenda Item 4.i).

NOTE: Items 16, 17, 18 and 19 were addressed for the benefit of the public prior to going into the Executive Session.

12. **Discussion, consideration, and review of the Burgess & Niple Camp Verde Water System appraisal.** Note: Council may vote to go into executive session to discuss this item, pursuant to ARS §38-431.03 (A)(7) for discussion or consultations with designated representatives in order to consider Council's position and instruct representatives regarding the negotiations for the purchase, sale, or lease of real property and (A)(3) for discussion or consultation for legal advice with the attorney.
13. **Discussion, consideration, and possible direction to staff regarding a possible agreement with Yavapai Ranch confirming the intent to participate in the Yavapai Ranch Land Exchange.** Note: Council may vote to go into executive session to discuss this item, pursuant to ARS §38-431.03 (A)(7) for discussion or consultation with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property and (A)(3) for discussion or consultation for legal advice with the attorney.
14. **Update regarding Thomas L. Griffith v. Town of Camp Verde.** Note: Council may vote to go into executive session to discuss this item, pursuant to ARS §38-431.03 (A)(4) for discussion or consultation with the attorney regarding Council's position regarding contracts that are the

subject of negotiations, in pending or contemplated litigation or in settlement discussions in order to avoid or resolve litigation and (A)(3) for discussion or consultation for legal advice with the attorney.

15. **Update regarding legal advice regarding the possible assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of the Town Manager. This discussion will not include any evaluation of the Town Manager.** Note: Council may vote to go into executive session to discuss this item, pursuant to ARS §38-431.03 (A)(1) for discussion or consideration of assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body and (A)(3) for discussion or consultation for legal advice with the attorney.
16. **Call to the Public for Items not on the Agenda.**
There was no public input.
17. **Advanced Approvals of Town Expenditures**
There were no advanced approvals of Town expenditures.
18. **Manager/Staff Report**
Lee gave an update on the recent request from citizens regarding speeding buses; that information, as well as information provided by the Mayor about another area, has been relayed to the School Bus Department. Lee will be in attendance at the State Parks Board meeting at Red Rock State Park tomorrow on acquiring the 24 acres earlier mentioned. Lee thanked Moore for her efforts in putting the Fort Verde Days event together.
19. **Council Informational Reports**
Hauser reported on the Verde River Partnership meeting today; a scope of work has been adopted for the Title 2 process. Hauser also reported on the Verde Watershed meeting and reminded everyone about dues being payable; she also attended a Verde Greenway meeting, as well as the WAC meeting. Flu shots will be available at the drug store between 11:00 and 5:00. The football players are winning and doing well.

Parrish commented on the unusual rain on the Parade last Saturday, and relayed a complaint about motorcycles being placed in line behind horses which created a hazard for the horse riders as well as for the motorcycles.

Parry described his pleasure at being present and meeting the Governor at the presentation of the check for the cannons. Parry shared the opinion of the Governor on the need to turn tourism into a profit center.

Baker announced that there will be a Yavapai County flu shot clinic scheduled for Friday, Room 206 on Town property, from 9:00 a.m. to 1:00 p.m.

Gioia reported on conversations with ADWR regarding their permitting for water adequacy and their concerns for no longer utilizing the study that was made in 1999. He also reported on following up on the letters received from Bwana Hal opposing Out of Africa endeavors. Gioia said that in response to concerns from Housing Commissioners regarding the need to be able to enforce the ICC and the Rental Codes; the attorney is working on a change to the Code that puts teeth in those administrative efforts.
A recess was called at 8:43 p.m. to go into Executive Session.
20. **Adjournment**
On a motion by Baker, seconded by Kovacovich, the meeting was adjourned at 8:43 p.m.

Tony Gioia 11/2/06

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 18th day of October 2006. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 3 day of November, 2006.

Debbie Barber

Debbie Barber, Town Clerk