

**MINUTES  
REGULAR SESSION  
MAYOR AND COUNCIL  
TOWN OF CAMP VERDE COUNCIL CHAMBERS  
WEDNESDAY, OCTOBER 7, 2009  
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 Burnside, Vice Mayor Kovacovich, Councilors Garrison, Whatley, Baker, Roulette and German were present.  
  
**Also Present:** Town Manager Michael Scannell, Public Works Director Ron Long, Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Paulsen, Permit Tech Becky Oium, Recreation Supervisor Lynda Moore, Deputy Town Clerk Virginia Jones, and Recording Secretary Margaret Harper.
3. **Pledge of Allegiance**  
The Pledge was led by Whatley.
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) Council Hears Planning & Zoning Matters – September 23, 2009
    - 2) Regular Session – September 16, 2009
    - 3) Special Session – September 16, 2009
  - b) **Set Next Meeting, Date and Time:**
    - 1) October 21, 2009 at 6:30 p.m. – Regular Session
    - 2) October 28, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters
    - 3) November 4, 2009 at 6:30 p.m. – Regular Session
    - 4) November 18, 2009 at 6:30 p.m. – **COMBINED** Regular Session & Council Hears Planning & Zoning Matters
    - 5) November 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
  - c) **Possible approval of Resolution 2009-789 a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Town of Camp Verde Small Area Transportation Study.** This item was presented and discussed at the 9-23-09 meeting. A full copy of the study is available online at [www.cvaz.org](http://www.cvaz.org) Staff Resource: Ron Long
  - d) **Discussion, consideration, and possible approval of Resolution 2009-788, a resolution of Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, supporting the public planning efforts regarding the future use and management of the area described as the Verde Front located within the Prescott National Forest including the Greenway Corridor of the Middle Verde River as managed by Arizona State Parks.** Staff Resource: Mayor and Council

On a motion by Kovacovich, seconded by Garrison, the Consent Agenda was unanimously approved as presented, with the exception of Items 4.c) and 4.d).

Councilor Baker requested that Items 4.c) and 4.d) be pulled for separate consideration.

**4.c) Possible approval of Resolution 2009-789 a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Town of Camp Verde Small Area Transportation Study.**

On a motion by Baker, seconded by Whatley, the Council unanimously approved Resolution 2009-789, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Town of Camp Verde Small Area Transportation Study.

Baker questioned, and received confirmation from Long, whether the subject Study was the same that was commenced in 2006 and, if so, is a compilation of everything that was done since that date; and has been funded by the amounts authorized by the Town and ADOT at that time. Long also confirmed that the information in the document does not conflict with the General Plan that was approved in 2004. A brief discussion followed on the need for a transit system in the Verde Valley. Scannell pointed out

that the subject document represents the strategic planning process; issues such as a transit system can be addressed at a later date.

- 4.d) Discussion, consideration, and possible approval of Resolution 2009-788, a resolution of Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, supporting the public planning efforts regarding the future use and management of the area described as the Verde Front located within the Prescott National Forest including the Greenway Corridor of the Middle Verde River as managed by Arizona State Parks.**

On a motion by Kovacovich, seconded by Garrison, the Council voted 5-2 to continue Item 4.d) until the Council has further information; with 'no' votes by Roulette and German.

Staff was directed to obtain and provide more information for the Council pertaining to this item and bring it back.

Baker said that the proposed planning efforts appear to be a good idea, but she would have preferred to have more information on which to base a discussion and understanding, and suggested a consensus of the other members' opinions as well. A brief discussion followed, with Roulette and German indicating support for the planning process as outlined. Burnside also reviewed changes he had written into the proposed Resolution. It was finally determined that more details were needed in order to make an informed decision regarding support.

**5. Council Informational Reports.**

**Whatley** reported on the appreciation expressed for the attendance of the Council members at the Colonel's Daughter event.

**Kovacovich** requested that staff include an agenda item on the October 21<sup>st</sup> meeting for Council to receive a report from CCCVL on their fund-raising activities for the Library.

**Garrison** reported on the NACOG tourism event to be hosted in Page, Arizona next month, and the work being completed by the NACOG Economic Development Committee, possibly by December, on the 5-year plan. Garrison also commented on the Colonel's Daughter event.

**Burnside** commented on the Colonel's Daughter event, and his attendance with Garrison at the NACOG meeting. Burnside also shared interesting information on what he had learned about the promotion of communities in Maricopa County through a special website.

**Burnside** also announced that the following Item 14 regarding Special Events has been removed from the Agenda to a future date.

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

(Comments from the following individual are summarized.)

**Shirley Brinkman** commented on the very enjoyable Lil' Guy and Lil' Gal event on Saturday.

There was no further public input.

**7. Chamber of Commerce Executive Director Tracie Schimikowsky will introduce Walgreen's Store Manager Tammy Bergman, thus affording Council members the opportunity to welcome Ms. Bergman to the community.**

There was no action taken.

Chamber of Commerce Executive Director Tracie Schimikowsky introduced Tammy Bergman, Walgreen's Store Manager, who said she had relocated here from Indiana and was looking forward to becoming a part of the community. Ms. Bergman outlined her background with Walgreen's and planned participation in upcoming events. The Grand Opening will be held on Monday, October 12, an all-day event full of festivities for all.

**8. Possible setting of a date and time for Council members to tour Parcel #15 of the Homestead PAD. Council may consider at some future date, the possibility of acquisition of this parcel for use as a park. The site is located at the corner of Homestead Parkway and Davidson Drive. Staff Resource: Mayor and Council**

On a motion by German, seconded by Baker, the Council unanimously directed staff to post a public notice that a majority of Council may be present during a tour of the property located at the corner of Homestead Parkway and Davidson Drive on Wednesday, November 4, 2009 at 4:00 p.m.

Scannell explained that the subject parcel had been dedicated by developer Scott Simonton for an elementary school site; last

April the School District notified Mr. Simonton that they had no interest in taking over the property, which triggered a two-year window of opportunity for Camp Verde to claim an interest in that 10-acre asset for use as a Park. The deadline to exercise such a right would fall on April 17, 2011; the Park would have to be constructed within one year of acquisition of the parcel. Scannell said he has available a packet of information for the members to help them make an informed decision, and the first step would be to make a physical tour of the property being discussed. The members then discussed and identified a date and time for such a tour; Scannell will provide as much further information as he believes would be necessary for the members during the tour.

Prior to the tour Scannell will also research the possibility of the existence of pit houses on the property, which would preclude further consideration of acquisition and development of the parcel.

9. **Discussion, consideration, and possible approval and direction to the manager to agendaize an item on November 4, 2009 during which David C. Roberts, Manager of Water Rights and Contracts for Salt River Project (SRP) can make a presentation to Council with respect to the Status of Town of Camp Verde water rights.** Staff Resource Michael Scannell  
On a motion by German, seconded by Garrison, the Council unanimously directed the Town Manager to agendaize an item on November 4, 2009 during which David C. Roberts, Manager of Water Rights and Contracts for Salt River Project (SRP) can make a presentation to Council with respect to the status of Town of Camp Verde water rights.

Scannell said that he believes the presentation made by Mr. Roberts to the prior Council last May on the subject litigation would be of interest to the five new Council members. Mr. Roberts has indicated enthusiasm for the idea and suggested the date of November 4 for him to attend and speak for approximately 20 minutes after which he and his staff members would be available for any questions the Council might have regarding the issues of concern.

10. **Discussion, consideration, and possible approval to set policy and provide guidance to the manager relative to the matter of settling (collecting) back transaction privilege taxes with respect to individual and commercial property rentals.** Staff Resource: Michael Scannell  
On a motion by German, seconded by Baker, the Council unanimously directed the Town Manager to start enforcement of the TPT, which represents Transaction Privilege Taxes, effective January 1, 2010, with respect to individual and commercial property rentals.

Scannell will brief Mr. Zelechowski on the action taken by Council tonight; Zelechowski will send letters to all owners of residential and commercial units informing them of such action, indicating the January 1 implementation date and strict enforcement to follow.

By way of an update, Scannell advised the Council that in connection with initial work that Mr. Zelechowski has been doing for the Town, he has uncovered a \$55,000 liability that is owing to Camp Verde and a correction is being processed to apply that tax credit to the Town's account.

Scannell said that the Town has had an existing Ordinance for the past 20-plus years weighing out a 2 percent Transaction Privilege Tax on rental properties and all commercial properties that are rented within the corporate limits of the Town of Camp Verde. That tax has never been enforced; in addition, the Town has been somewhat remiss in terms of informing the community that the tax even existed. Scannell reviewed the categories of the small handful of those who have paid the tax, and the majority who have not done so for one reason or another. Mr. Zelechowski has been sending letters to owners of rental properties informing them of the tax, and the question now is whether the tax should now be collected retrospectively, or prospectively, looking forward.

#### **PUBLIC INPUT**

There was no public input.

Scannell referred to the Confidential memo that had been provided to the members by the Town Attorney setting forth a legal analysis of the issues of collecting the tax either retroactively, or setting a date on which to begin enforcement of the tax. During discussion, Scannell said that it would be incredibly difficult to try to identify and collect back taxes, coupled with the fact that it has never been enforced for 20-plus years. Scannell recommended the date of January 1, 2010 as the date on which the Town would begin active enforcement of the imposition of the 2 percent Transaction Privilege Tax; that would give sufficient time for landlords and tenants to be notified and bring themselves into compliance. It was also noted that the intent of the Council has been to collect the tax prospectively, and that in the interim Mr. Zelechowski would be educating the public on what had been required and what will be expected. The members discussed with Mr. Scannell different ways to educate the public through advertising and the different news media, the training of staff by Mr. Zelechowski, and the effectiveness of encouraging compliance by conducting random audits as part of the enforcement process.

11. **Discussion, consideration, and possible direction to staff to schedule a work session with Dava Hoffman, Richard Counts and members of the Zoning Ordinance Rewrite Committee (ZORC) on October 21, 2009 from 4:00 p.m. to 6:00 p.m. in order to discuss the draft diagnostic report with respect to the land use code rewrite project.** Staff Resource: Michael Scannell

On a motion by Baker, seconded by Garrison, the Council unanimously directed staff to schedule a work session with Dava Hoffman, Richard Counts and members of the Zoning Ordinance Rewrite Committee (ZORC) and Technical Advisory Committee members, and members of other entities as well, on October 21, 2009 from 4:00 p.m. to 6:00 p.m.

After a brief discussion, the members expressed agreement with scheduling the work session as requested, to include the various committees and groups.

**A recess was called at 7:59 p.m.; the meeting was called back to order at 8:12 p.m.**

12. **Discussion, consideration, and possible approval of Resolution 2009-785, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving an Intergovernmental Agreement with the Office of Manufactured Housing for enforcement of installation standards.** Staff Resource: Mike Jenkins

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved Resolution 2009-785, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving an Intergovernmental Agreement with the Office of Manufactured Housing for enforcement of installation standards.

Acting Community Development Director Jenkins explained that the Intergovernmental Agreement with the Arizona Office of Manufactured Housing has authorized the Town of Camp Verde to maintain quality and safety standards for manufactured housing, providing convenience in permitting for local residents, as well as the opportunity to receive the fees associated with the program. The proposed Agreement will be in effect for five years, renewable in 2014. Jenkins confirmed that the arrangement has been in place since 1991.

13. **Discussion, consideration, and possible approval of Resolution 2009-776, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona adopting fees for Town services.** Staff Resource: Virginia Jones.

On a motion by Garrison, seconded by German, the Council unanimously approved Resolution 2009-776, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona adopting fees for Town services, **with the recommendations of staff.**

Staff will report back to Council on findings by Marshal Smith regarding data on animal adoption fees, when available, as well as further research requested on permit fees, as discussed, for consideration of possible fee adjustments.

Deputy Town Clerk Jones said that the information has been compiled with each department providing the recommended fees as indicated in the itemized charts and report; if adopted, it will be in force until the Council may request for a subsequent fee schedule analysis. In response to a request for clarification, Jones explained that an Ordinance would establish a law, whereas Council policy is set by a Resolution. The members compared at length some of the variations in fees recommended by the departments compared to the amounts calculated through the professional fee study. Throughout the discussion, the members acknowledged the role of the Town in providing services to the community, and the need to subsidize some of the fees in consideration of certain activities and the expectations and financial ability of the citizens. The issue of the recent increase in animal adoption fees was discussed, as well as a request to clarify assessment and fairness of some permit fees and engineering plan review charges, with input from Permit Tech Oium and Public Works Director Ron Long. Long was requested to keep a good track of certain engineering charges in order to confirm fairness or a need for some adjustment in the future. Scannell advised the members that Marshal Smith is currently researching the animal adoption costs based on veterinarian charges for spaying and neutering, trying to negotiate a reduced fee, and will be coming back to Council with such data. It was also noted that all fees approved at this time may be revised by Council at any time in the future.

14. **Discussion, consideration, and possible approval of Resolution 2009-781, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the "Special Event Permit Process and Handbook".** Staff Resource: Virginia Jones  
(Note: The Mayor announced previously that this item was removed from the Agenda to a future date.)

Councilor German requested the following item:

15. **Discussion, consideration, and possible direction to the Town Manager to investigate possible alternatives for**

**reorganization of the Human Resources Director position.**

Staff was directed, at their convenience, to look into possible alternatives for reorganization of the Human Resources Director position, by a 4-3 consensus, with Whatley, Kovacovich, Garrison opposed.

Councilor German first stated positively that this agenda item has nothing against David Smith who is currently acting as the Human Resources Director, it is strictly a perception issue. She suggested that the chief law enforcement officer acting as the H.R. Director could be perceived as not only a conflict of interest, but it might be intimidating for employees to go to him with concerns since he deals with the criminal aspect of situations and that is his mindset. German said she felt that other options should be considered, and wanted the input from the other Council members. There was general understanding regarding the perception of intimidation, as well as the problem of even considering another position from the financial standpoint. Scannell suggested that he would try to research other options, with defensible numbers, including perhaps identifying a part-time qualified resource. He estimated that the analysis would involve approximately 20 hours of his time.

Councilor Garrison requested the following item:

16. **Discussion and update regarding the investigation with the State Board of Accountancy that the Town Council requested relative to the auditing standards, and the due diligence practices employed by the Town's prior external Auditor (Cronstrom and Osuch) in completing an audit of the Town's financial statements for the period ended June 30, 2006, as well as the conduct of the Town's prior Finance director vis-à-vis his role in disclosing certain information to the external auditor for his use in completing the Town's audit for the period in question.**

There was no action taken.

Garrison said that her records indicate that no further information has been received from the State Board of Accountancy following the inquiry last October, and she had requested an update from the Town Manager. Scannell confirmed that letters have been sent to the Council from that Board with the update.

Councilor Garrison requested the following item:

17. **Discussion, consideration, and possible direction to staff regarding miscellaneous property owned by the Town and stored at various locations around Town and including storage on Industrial Drive. This may include, but not limited to compiling a list of unused property, and direction to staff regarding disposing of items.**

On a motion by Garrison, seconded by German, the Council unanimously directed staff to compile a list of all unused property owned and stored at various locations around Town, including recommendations from staff on items to retain or dispose of, and bring back to Council for review.

Garrison said that during the June tour of the Town facilities she found many items stored throughout Town that had been purchased and never been used, and are in danger of being destroyed because of exposure to the weather. The members discussed the possibility of generating some funds by disposing of unused property while it is still marketable. It was agreed that a list should be compiled, with input and recommendations from the staff, with the goal of holding a sale as suggested, the list to be brought back to Council for review and decision on disposition.

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

There was no public input.

19. **Advanced Approvals of Town Expenditures**

a. **There are no advanced approvals.**

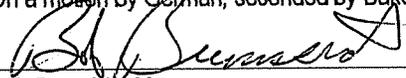
There were no advanced approvals.

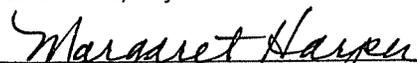
20. **Manager/Staff Report**

Scannell briefly reported on the status of the recent theft of two air conditioning units from the old Marshal's office building, at an estimated value of \$6,000.

21. **Adjournment**

On a motion by German, seconded by Baker, the meeting was adjourned at 9:44 p.m.

  
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 Bob Burnside, Mayor

  
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 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 7<sup>th</sup> day of October 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 22 day of October, 2009.

Deborah Barber

Debbie Barber, Town Clerk